



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 19 July 2018
6.00 pm
Council Chamber - Municipal Offices

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Stephen Cooke, Diggory Seacome, Victoria Atherstone, Bernard Fisher, Dilys Barrell, Mike Collins, Wendy Flynn, Alex Hegenbarth, Karl Hobley, Paul McCloskey, Tony Oliver, Simon Wheeler and John Payne

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **DECLARATIONS OF INDEPENDENT SITE VISITS**
4. **PUBLIC QUESTIONS**
5. **MINUTES OF LAST MEETING** (Pages 7 - 26)
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **18/01083/CONDIT Cotswold View, The Reddings** (Pages 27 - 60)
 - b) **18/00704/FUL Blenheim Villa, The Reddings** (Pages 61 - 100)
 - c) **18/01142/CONDIT 70 Sandy Lane** (Pages 101 - 106)
 - d) **17/00710/OUT Land adjacent to Oakhurst Rise** (Pages 107 - 596)
 - e) **18/01216/FUL Pittville Recreation Centre** (Pages 597 - 600)
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

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Planning Committee

21st June, 2018

Present:

Members (11)

Councillors Barrell (DB); Cooke (SC); Hobley (KH) – Acting Chair; McCloskey (PM); Oliver (TO); Payne (JP); Seacome (DS); Wheeler (SW).

Substitutes: Councillor Hay (RH)
Councillor Parsons (DP)
Councillor Sudbury (KS)

Officers

Craig Hemphill, Principal Planning Officer (CH)
Michelle Payne, Senior Planning Officer (MP)
Ben Hawkes, Planning Officer (BH)
Gary Dickens, Planning Officer (GD)
Mike Redman, Director of Environment (MR)
Nick Jonathan, Legal Officer (NJ)

1. Apologies

Councillors Barnes, Baker, Atherstone, Flynn. Hegenbarth, Fisher, Collins.

2. Declarations of interest

There were none.

3. Declarations of independent site visits

- i. Councillor McCloskey – unable to attend Planning View, so visited all the sites at the weekend.
- ii. Councillor Sudbury – as late substitute, did not go on Planning View, but is familiar with or has previously visited the following sites:
 - Stables, Hyde Lane
 - 68 Sandy Lane
 - 66 Townsend Street
 - Regent Arcade
- iii. Councillor Hobley - unable to attend Planning View, but knows or has previously visited:
 - 66 Townsend Street
 - 46 Queens Road
 - Regent Arcade

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 24th May 2018 be approved and signed as a correct record *without* corrections.

NJ: In the absence of both the Chair and Vice-Chair, and under Rule 9 of the Constitution, would invite Members to nominate another Member to Chair the meeting.

RH: nominates Councillor Hobley.

Vote on RH's nomination of Councillor Hobley to chair the meeting

9 in support

1 in objection

1 abstention

CARRIED

DS: has KH had the necessary briefing to act as Chair?

NJ: he has.

DS: in which case, the vote was a coronation rather than an election. With no disrespect to KH, feels this should be dealt with in a different way.

6. Planning applications

Application Number:	17/02460/FUL
Location:	Playing Field Adj 10 Stone Crescent, Cheltenham
Proposal:	Erection of 13no. dwellings with associated road and sewers
View:	
Officer Recommendation:	Refuse
Committee Decision:	Refuse
Letters of Rep:	29
Update Report:	- Officer update
	- Annotated drawings – circulated at applicant's request
	- Comments from Councillor Holliday

MP introduced this application for 13 dwellings on a parcel of land at the end of Stone Crescent, to include five affordable units. The proposal has been amended re. housing size and lay-out, with the latest revised plans submitted after the Agenda was published. Members will recall the application was deferred from the April agenda, to allow further discussion, but this has not produced a revised scheme which Officers can support. The recommendation therefore remains to refuse, for the reasons set out in the report: **20/4 outline; S106 lead agreement not complete; no decisions/ access. County council application.** The application is at Committee due to a previous commitment to Members to bring future applications to Planning Committee.

Public Speaking:

Mr Patel, neighbour, in objection

Represents the views of residents who object to this development, and do not feel that the developer has engaged with or provided them with any assurance that their daily lives will not be negatively

impacted, despite claims to have done so. Main objections centre on: significant increases in traffic; negative impact on parking; accessibility issues; health and safety issues increasing the potential for traffic-related incidents to occur; HMOs and the lack of affordable housing; and localised flooding. The development will only be accessible via a single entry/exit point; the area already suffers high levels of congestion, and this will be heavily impacted by the increase in traffic. There will be fewer car parking spaces available – at least 39 more vehicles, which will increase exponentially if dwellings are HMOs, causing overspill into the existing estate.

With narrow roads, no real turning areas, and overgrown hedges in Wharfdale Square, renowned for blocking drivers' vision, all manner of vehicles currently have a hard time getting round. Construction vehicles will experience the same, causing major obstructions, inconvenience and health and safety issues. Inconsiderable parking by parents on the school run is a daily problem, with residents often forced to drive on the wrong side of the road – another health and safety issue. With no pavements in Wharfdale Square, pedestrians – including young children – often have to walk in the road. 'Near misses' are already a common occurrence, and with the increase in traffic flow, the safety issues will increase.

There are already significant numbers of HMOs in the area, and the type of dwellings being proposed will increase this number; only a token gesture of them could be considered as affordable housing.

The area already suffers from localised flooding, and the development will increase the area covered by impermeable materials, causing an increase in the quantity and rate of surface water and flooding.

To close, the future of the area and its community is very important to residents, and this development will be a massive change, impacting on daily lives. Residents have not been consulted, or given an opportunity to have a meaningful conversation with the developers to discuss these concerns. Would request that developers initiate a public consultation if the planning application is given the go-ahead.

Mr McCreadie, of New Dawn Homes, in support

His company specialises in residential development; this a scheme for 13 houses, including five social houses, on the redundant Rowanfield School playing field. The report is out of date and relates to drawings previously submitted in March. In response to officer concerns, prepared revised lay-out and house types - worked hard and quickly to achieve this, and the urban design officer and planning officer said it would be taken to the July meeting. The new contemporary house type is similar to the award-finalist houses at Village Road, adjacent to New Dawn Homes offices, and additional information on flood risk has concluded that there are no flooding issues that cannot be resolved – to prevent new homes in this sustainable location. Is surprised and astounded that officers decided without notice to bring the superceded application to the July meeting, allowing no time for further consultation on the amendments. The drawings are out of date, and no consultations on the revised plans are included. There is a shortage of new homes, and these comply with planning standards, distances to neighbouring properties are OK, and no HMOs are included. GCC has no specified maximum or minimum parking standards; this scheme provides an average of two spaces and garage per property – feels this is good practice, but can agree to reduce if Members are minded. Willing to accept planning conditions and enter into usual S106 for education and libraries; also committed to five affordable units, plus any other conditions or agreements required. Requests that members permit these much-needed new homes on a sustainable site, close to current schools and amenities.

Councillor Holliday, in objection: speech circulated at meeting and read by Members

Member debate:

KS: the applicant has said that the plans are out of date, so can officers confirm which application Members are deciding tonight? And was it made clear to the applicant why the application is at June committee rather than July?

SW: is very much on the officers' side on this one. To make sure of one issue, which is a big bugbear and mentioned in Councillor Holliday's comments – it appears that there are no footpaths. We have previously been told that people like shared space, but the fact is more that they don't - they just have to put up with it. There are estates with shared space in his ward where cars are parked right on the kerb line, forcing people to walk across 'front lawns' or in the middle of the road. Asks that we get away from this type of design, and provide actual footpaths. Is happy to support the officer recommendation.

PM: is concerned that if there was a previous commitment to bring to application to the July meeting, bringing it to June is not fair on the applicant; suggests a decision should be deferred until July. Is intrigued by the green palisade fence at the end of Stone Crescent; understands that residents paid for the fence and had to install it on their land; is curious about its history, and how this was done. Empathises with the residents concerned about the possibility of sewage reflux – experienced this on a trip to Venezuela. This is a modern development and we cannot be sure how much contingency has been built in or assume that the local network can deal with these extra dwellings. Is minded to take on board the comments of the flood officer.

JP: was quite taken with the lay-out on first viewing – a good location, a wide range of amenities nearby, close to secondary and primary schools etc – but on looking at it in more detail, feels that the developer hadn't taken advantage of the site. Agrees with PM, and would like to know why this application has been brought forward to June with numerous questions unanswered. Have the foul sewer, no-build zones, and flooding issues been resolved yet? Until these are resolved, agrees with the officer recommendation, unless the application is deferred to allow the developer to address those issues.

MP, in response:

- To KS, the plans on the wall and the screen are the latest revision submitted, and these are the plans which will be decided on tonight;
- To explain the decision to bring the application to June committee rather than July: officers originally intended to bring the application to Committee in April, with a recommendation to refuse; the applicant requested a deferral until May, but officers didn't feel this would be long enough to deal with all the issues, therefore requested a three-month extension of time, setting the date by which a decision must be made. A meeting was held with the applicant soon after the deferral in April, but it was five or six weeks before a revised lay-out was submitted. The Urban Design officer and case officer did not feel that this had addressed the concerns. The issues were discussed in the round, and officers considered there was insufficient time to bring the new scheme to the July meeting – further revised plans would be needed, and further consultation. The update includes the response of the LLFA to the latest plans and flood risk – it still objects. If the application was to be deferred again, it would not be ready for the July committee, as there is not enough time for consultation;
- To SW, agrees with his comments regarding the shared surfaces, but highways officer do not object so we cannot insist on pavements. The developer is here tonight and will have heard SW's comments and concerns;
- Regarding the green palisade fence, this has been raised before. It is ultimately outside the remit of planning committee. Doesn't know its history, but it is on land owned by the applicant, and PM is correct that local residents contributed to its installation;

- Regarding sewerage, Severn Trent initially sent a standard response, stating that the sewers were situated towards the north of the site; in a subsequent response, Severn Trent said the sewers should be located in public space – this is not a usual request, which is more like to require a 3m no-build zone and access allowed.

KH: does PM want to carry on with a move to defer, or are Members satisfied with the response they have received?

(Happy to vote on officer recommendation)

Vote on officer recommendation to refuse

10 in support

0 in objection

1 abstention

REFUSE

Application Number:	18/00590/FUL		
Location:	Stables, Hyde Lane, Swindon Village		
Proposal:	Erection of dwelling on the site of a former stable block		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	3	Update Report:	None

MP introduced the application as above, for the erection of a single dwelling on a site in the green belt, with much of the site outside the principal urban area (PUA). Permission was granted in 2016 for the stable to be converted into two dwellings; during the conversion, the walls collapsed, making it impossible for that permission to be completed. This proposal has the same footprint, height and massing, but is in conflict with JCS Policy SD10, as much of the site is outside the PUA. However, in this instance officers consider that the recent grant of planning permission is a material consideration which outweighs this. The application is at Committee at the request of the two ward councillors, Councillor Fisher and Councillor Clucas, and also the Parish Council..

Public Speaking:

Mr Trainor, applicant, in support

Thanked officers for their handling of the matter, working with the applicant throughout, and resulting in a well-balanced report and recommendation to permit. The circumstances leading to this application are set out in the officer report – will not repeat them – but the revised design will have the same footprint, mass and scale as the previous proposed conversion, with a higher quality of design, both of the building and the landscaping. It is supported by the Architects Panel. Will ensure that it is implemented correctly, and respectfully requests that the Committee permit the proposal.

Councillor Clucas, in objection

Councillor Fisher is on mayoral duty – would otherwise be present to join the debate. In 2016 there was an application for the renovation of the existing stable building, which would have preserved the levels of the building, and ensured it was properly constructed in keeping with the green belt; there was, at that time, no JCS. Parish councils, county councils, committees all asked to protect as much of the green belt as possible. The previous application stated that the building was structurally OK to be renovated; an engineer report confirmed this, and it was stated that the slab was to be protected. Some months ago, the application was permitted by a narrow majority, with Members still concerned

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about its effect on green belt. Subsequently, Councillor Fisher was in the area, noticed that ground work being done, and that the slab which should have been maintained was ripped up and levels changed. As this was clearly a breach of the planning application, contacted planning officers. The breach of condition was confirmed, and later officers stated applicant would have to re-apply. Is therefore staggered by recommendation to permit this new luxury dwelling.

Paragraph 7 of the objection from the Parish Council is meaningful, concise, and apposite. They consider that the application violates the green belt, and that if it proceeds it will have an effect on other areas of green belt in and around Cheltenham as older buildings become unsustainable – and therefore investment opportunities.

This not only violates the NPPF but also the Cheltenham Plan – the Council has pledged to protect the green belt. We are currently committed to building 10,000 properties in Cheltenham; one or two *not* built in the green belt will protect many, many others around Cheltenham.

With reference to the previous report in 2016, it was considered that the previous proposal didn't contravene green belt regulations. The proposal will. At Elms Park nearby, there is now a commitment to build 4,200 houses. We should protect greenbelt, and protect Cheltenham and its residents for the future.

Member debate:

SW: remembers planning view for the previous application, when Members looked at the barn and many comments that it looked like it would fall down at any moment. They were assured it was OK and sound. The question was asked then – would officers be recommending that scheme for permit if it was a new build? The hedged answer was 'probably not', due to its situation in the green belt etc, prompting Members to wonder what would happen if the barn accidentally fell down...? Everyone knew what was going to happen; the applicant had no intention of rejuvenating the building – and he is now proposing the new build he wanted in the first place. Agrees with Councillor Clucas that this new dwelling in the green belt should not be built.

Also, in the original application, the applicant stated that access would be along the public footpath – but this cannot become a public highway. Can't drive a motor vehicle on public footpath or run a road on one. There would have to be separate access, and there no room for this.

JP: fully supports the views of Councillor Clucas, and is concerned that looking at the process, it is not entirely policy compliant. Regarding the former stable block, policy allows agricultural units to be converted; this was approved, and the structural survey concluded that the building was sound. Is there not a requirement in such cases that residents occupying the building should have a connection with agriculture, to make a living? We are now told that the building collapsed when the work was being done and could not be restored. The remains of the building have now been knocked down, so the planning application can no longer be fulfilled. Now the applicant wants a new building in the green belt. The council has worked hard to create a sound JCS and Cheltenham Plan, and this application needs a robust response. There should be no new build in the green belt; this isn't infilling and is outside the PUA. This has no place in the green belt; cannot support it.

PM: SW spoke about the difference between a footpath and a public right of way. A new access would require a robust bridge over the stream. The main point is that with we are probably looking at this with images of stable, horses grazing, etc, but before it was a stable it was a brick kiln - making this a brownfield site. Walked round whole field and could see remnants of previous industrial uses. Apart from the intriguing fact that this was intriguing was a brick kiln, it would suggest that there is something adjacent from which to make bricks – most likely clay? This raises the issue of flooding – there is talk about a SUDS scheme, but sooner or later some water will have to soak away – if on clay,

won't happen. Continued walking up to the railway line, noting that the application site is low and likely to accumulate water – raising the question of how flood alleviation will work. However, we are where we are with this, and is minded of the the application at The Hayloft, originally a conversion, now a new build. This is a brownfield site and something needs to be done with it; there are many examples in Cheltenham of developers failing the get approval and piles of rubble being left for 20 years.

DB: is also concerned about flooding. Local residents have remarked that the stables were liable to be flooded on occasions. Has this been looked into?

SC: was on Planning View, and several points raised have been well made tonight. This was a building for a stable, planning permission was given for two dwellings, it subsequently fell down. If the stables had been rebuilt as they were, then would the original planning permission for two dwellings would still be in place? Could the developer build two dwellings? If that is the case, aren't we arguing whether he can built two or one dwelling? Planning permission has already been given – would therefore support this proposal as long as the original levels are adhered to and proper flood amelioration measures explored and applied.

DP: is making Planning Committee debut tonight, and finds this application interesting having read the outcomes and details of appeals that have been sent to Members, including detailed reasons for why the appeals were allowed and of costs against the council. One of the points raised was not to take into account previous permissions on the site. There is extant planning permission, now impossible to carry through – and this current application is for a building the same size and height. If it is refused, is the applicant likely to win an appeal and costs be awarded against the council?

KH: is interested in the design of the proposed dwelling – it is of a high standard – and commends the applicant for bringing this scheme to us.

MP, in response:

- To SW's question regarding the public right of way and access, the informatives at the end of the report are suggested by the highways authority and the PROW team. The public right of way would need to be closed during the construction period, and the applicant would have to apply for a license to do this. The future occupant of the dwelling would have to apply for a license too. Highways officers have assessed the situation, and raised no objection to the access. It is the same access as previously served the stables, and is established;
- Regarding flooding, a small part of the site has low risk of surface water flooding. The applicant has proposed a SUDS pond to alleviate this. The matter would be assessed under Building Regulations, but a condition is recommended to implement a SUDS scheme;
- Doesn't know the composition of the soil in this area, but can confirm that there is no more risk for this application than the previous one for two dwellings on site. A levels survey has been done;
- Regarding the potential for appeal and costs, given the previously permitted application, the original stable building has now gone – the applicant would need planning permission to rebuild the building as was. There is now no opportunity to implement the previous planning permission – this is set out in the report.

KS: has a question re the finish and cladding. Are there conditions relating to this? Will samples be submitted to officers? Personally feels that wood cladding can end up looking a bit ropery. Also the levels – are officers happy with these? Councillor Clucas said that a new building in the green belt would set a precedent, but we are always told to consider each application on its own merit. Is there a precedent being set here?

SW: if permitted, this application will allow new build in the green belt. JP and Councillor Clucas have made the point that it is against all policies, including the JCS, for which Members have worked so hard. The Committee reluctantly agreed to the conversion of the stable; now the stable is no longer there, and this is a fresh application to build in the green belt. That is the crux of the matter. Cannot support this application.

DB: can the legal officer confirm whether this is a brownfield site or greenbelt?

SC: on Planning View, the officer said she might be able to find an image of the original barn – this would be useful.

DP: returning to SW's point, this proposal can only count as new building in the greenbelt if this is a greenfield site – where a building was already in place – so it would not be setting a precedent for building in the greenbelt. The proposed building will have the same mass, and be no loss to the greenbelt. Whether this is justified or not is not what concerns him, but the possibility of costs at an appeal. Has not yet heard from officers what the likelihood is. Without this information, cannot make a responsible decision.

NJ, in response:

- It is very difficult to give a concrete answer on the likelihood of costs at an appeal. The report is balanced in its recommendation, so it would be disappointing if costs were awarded, but it cannot be ruled out. .

MP, in response:

- To KS, there is a condition requiring samples of the materials to be used, to ensure a high quality finish to the building;
- To the question whether, if permitted, this application will undermine JCS Policy SD10 in the future, this is discussed in the report. The weight of the previous decision has to be taken into account. If this was new build in the green belt, officer recommendation would be different but as DP has pointed out, in the appeal decision for The Hayloft, the inspector gave significant weight to the previous decisions even though these could not be implemented. Therefore the only conflict is with the JCS;
- To DB, this is a brownfield site, having been previously developed for equestrian use. Inspector acknowledged previous use was brownfield , although in a green field;
- To SC, apologies but was unable to find a photo of the original building.

JP: the officer said that if this was new build, it would be in conflict with JCS SD10. Future developers looking to build on the green belt will look at the extenuating circumstances of this case and claim the same. This will be a dangerous precedent.

SW: regarding the way we make decisions, DP is concerned about costs, the possibility of an appeal etc, but in all his training over the years has been told we should look at application before us, and not be overly concerned with the ifs and buts and dangers , and what might happen if it goes wrong.

Vote on officer recommendation to permit

8 in support

3 in objection

0 abstentions

PERMIT

Application Number:	18/00594/FUL		
Location:	46 Queens Road, Cheltenham		
Proposal:	First floor rear extension		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	6	Update Report:	None

GD introduced the application as above, with a recommendation to permit, for reasons set out in the report. It is at Committee at the request of Councillor Seacome, in view of the high level of neighbour concerns.

Public Speaking:

None.

Member debate:

None.

Vote on officer recommendation to permit

9 in support

1 in objection

1 abstention

PERMIT

Application Number:	18/00681/FUL & 18/00700/ADV		
Location:	Regent Arcade, Regent Street, Cheltenham		
Proposal:	18/00681/FUL: Demolition and reconstruction of the Regent Arcade High Street entrance 18/00700/ADV: Individual internally illuminated lettering reading 'Regent Arcade' with supporting 'Shopping Dining Leisure' sign and installation of two projecting glass banner signs		
View:	Yes		
Officer Recommendation:	Permit / Grant		
Committee Decision:	Refuse / Refuse		
Letters of Rep:	1	Update Report:	None

MP introduced the application 18/00681/FUL as above, at Committee because it is not supported by the Architects Panel. The second application, 18/00700/ADV, has been brought to Committee for completeness. There have been various revisions throughout the process and officers feel it is now a better scheme. Their recommendation is therefore to permit.

Public Speaking:

None.

Member debate:

PM: is not so worried about the design but rather more about the conditions, if permitted. The council is about to spend thousands on repairing the High Street; the repairs to the front of the Regent Arcade may interfere with the newly-laid road and pavement surfaces. If the footpath is going to be changed, we should ensure that the road surface is put in afterwards, and thus remains pristine.

KS: it's very good that the Regent Arcade is planning ahead and revitalising its frontage, but is disappointed in the proposed design. It doesn't seem to go together – the bottom panels of glass are shorter than the ones above – is not entirely happy with this and would like to see something better. It doesn't have to compete with John Lewis, and it's a shame the designer couldn't sort out the proportions better and come up with something more harmonious.

JP: the management of the Regent Arcade has been forced into upgrading by other retail development in the town. The whole purpose of any shop front is to attract people in, but this doesn't really do that. It is the *Regent Arcade* – yet there is no reference to this in the design. It is bland and poorly proportioned, and does no favours to the High Street. Can't imagine we won't be back in three years with Version 3. The present façade has not been well-maintained – it is in a terrible state, and doesn't attract people in. This is a missed opportunity - something far more attractive is needed.

SC: understands why the Regent Arcade wants to do this – to attract more people in – and this is to be commended. Is concerned about the large window above the doors; it will look like so many other shopping malls in the country, and doesn't do justice to this prime location in Cheltenham. The existing façade has a classic elegance, and sort of echoes what was there years ago – the Plough Inn. Further along the High Street, the Regency columns of the bank building reflect a design theme appropriate to a Regency town such as Cheltenham. This proposal would be a mistake – just another High Street shopping mall - and is a missed opportunity to refurbish, at considerable cost. We could do much better, and make the High Street much more attractive.

SW: originally didn't really like the design and felt that it doesn't really work, but would accept it – but other Members are exactly echoing his feelings. KS is right – the proportions are wrong. The current detail between the ground and first floor sort of follows the line set by other buildings – but this cuts through it. It is out of proportion; will vote against, it spoils the architectural line of the High Street, doesn't fit, and we should/could do a lot better and require a design that fits in better. Quite liked the original Regency pastiche. Is inclined to vote against.

RH: agrees with KS about the design; would like to see something with better proportions. It is disappointing that the façade has been re-done so recently, but understands why the regent Arcade feels it has to do this, to keep up with the changing High Street. It would have been great to see the other end of the Regent Arcade come forward for refurbishment, and join more attractively to the Promenade. Will probably support this proposal; can see no planning reason not to do so.

KH: doesn't think this application is any improvement on what is there at the moment, and if the applicant feels that what is proposed will help retailers and tenants, doesn't believe that this will achieve that aim. There are many challenges currently facing the High Street; this will have no impact on them. For the record, doesn't think a pastiche design would be very good either.

MP, in response:

- To PM, the existing doors are recessed on the applicant's own land, and this proposal would be also. There will be no need to disrupt any new paving as part of the redevelopment.

KS: KH said that the current design isn't good, and this won't improve it. Will it attract more people to the Regent Arcade? We all want people to come to shop there. We could be firmer with the arcade – they could do better – there are too many stalls in the middle. But this proposal won't improve on the

prime location in the High street. MP has said the door are recessed, but there will be construction vehicles, as in the John Lewis area. What will happen to the paving – it isn't designed for heavy vehicles? How can this be rectified? Will support SW's move to refuse. For the record, doesn't mind pastiche or modern, as long as it looks good.

KH: to clarify, doesn't like either!

SW: if the pavements are damaged, they *must* be put right again.

PM: with regard to the Regent Street entrance to the arcade, the owners put in an application to improve it but wanted the flower seller removed from Ormond Place; when the council declined to do this, the arcade declined to improve its frontage. Outside Planning Committee, some serious conversations are needed with the owners of the Regent Arcade; it is important to Cheltenham.

DP: would like guidance here: at times we seem to move from Planning Committee to Dragons' Den, discussing what is good/not good for business. We should leave businesses to decide what is best, but it is legitimate to say we don't like the design. Agrees with this – it isn't good and doesn't gel. That is our job – to say we don't like the design, not to say what is good for business.

KH: can the officer confirm the height of the doors? There are discussions about aligning them to adjacent doors; Members are concerned about the proportions.

MP, in response:

- Regarding the footpath and highway work, we could attach a construction management statements to avoid any harm to the new pavement;
- Regarding the height of the doors, officers have secured an increase in height, but this was quite nominal. The Architects' Panel picked up on the original submission in which the doors were lower than those on either side – Top Shop and H&M. The doors are now higher;
- Alternative designs have been considered - what is presented tonight is the most acceptable;
- To DP, design is always subjective; the report sets out many different views on the design, and clearly others would approach it differently. Members have only discussed the proportions so far, if they are considering refusing the application on design grounds.

KS: made comments about the design and proportions of the proposal, but is also a customer of the Regent Arcade. Would like to refuse this application. Compared with previous iterations, this is a dramatic departure, not just the proportions but also the way it is treated. Previous versions have had a strong, vertical design, with pillars. This features a strong horizontal line, and the doors are shorter than the ground floor. A vertical lines only go part way through, which is a dramatic departure. Can understand the desire to refresh the entrance and make it more modern, but this doesn't work. Understands that the architect is trying to get away from Regency pastiche and making a more modern façade, but the lowered horizontal line is not harmonious, and doesn't look good. The Architects' Panel didn't like the design. There must be some way round this, something that sits better. On purely planning grounds, we shouldn't support the proposal because of that.

KH: will move to votes on officer recommendations for the two proposals.

Vote on officer recommendation to permit FUL application

2 in support

8 in objection

1 abstention

NOT CARRIED

Vote on officer recommendation to grant ADV consent

6 in support
4 in objection
1 abstention

GRANT

KH: officers will provide clarity on this unusual situation.

CH, in response:

- The FUL application proposes a scheme for remodelling the entrance to the arcade, and the ADV application is part of this. It cannot be implemented if planning permission for the other scheme is refused.

SW: the reason why he voted as he did is because he understands that the Arcade wishes to advertise, and has no issue with the advertising banners – just doesn't like the design of the Arcade frontage. If the ADV was part and parcel of the FUL application, would vote against it. It is the design he doesn't like.

KH: sees the point that the ADV application is integral and based on the FUL planning permission for the design of the Regent Arcade front.

PM: there was no point having the second vote – the ADV isn't going to happen without the FUL. Can that vote be scrubbed from the record? It would make things a lot more straightforward – planning permission is refused; end of.

KS: there must be a process of voting on two applications that relate to each other. Legal advice on this would be useful. It is an awkward situation.

SC: would not have voted as he did if this had been explained in advance of the vote.

DS: voted against both but imagines some Members voted for the ADV in the event of the planning permission being granted on appeal.

DP: is surprised that the second vote was taken once the first vote for planning permission had fallen; would have expected it to fail.

NJ, in response:

- Ordinarily, Members are expected to vote on individual applications. It appears that Members were not entirely clear on what they were voting for or the relationship between the ADV application and the FUL application. Provided Members are agreeable to do so it would be appropriate to take the second vote for advertising consent again.

KH: in light of this discussion, invites Members to a clarifying vote on 18/00700/ADV

Vote on officer recommendation to permit

0 in support
9 in objection
1 abstention

NOT CARRIED

KH: As RH was out of the room and has now returned, the vote will need to be taken again.

Vote on officer recommendation to permit

0 in support
9 in objection
2 abstentions
NOT CARRIED

KH: we now need grounds in order to vote for a refusal. Invites Members to propose grounds.

KS: suggests it is rejected on design grounds – CP7 of the Local Plan; for impact on the conservation area – the elevations and proportions harm the character/amenity of the area – SD4 of the JCS? Help from officers would be appreciated.

MP, in response:

- JCS Policy SD8 relates to the historic environment, so could be included in line with Members' objections. The application could also be said to contravene design advice in the NPPF.

KS: can construction methodology be included as a refusal reason – the potential damage to the paving during the construction phase? If the applicant can deal with this in a future application, it would be really useful.

Vote on KS's move to refuse 18/00681/FUL on JCS Policies SD4 and SD8, Local Plan Policy SP7, and the NPPF

10 in support
0 in objection
1 abstention
CARRIED - REFUSE

Vote on KS's move to refuse 18/00700/AD on JCS Policies SD4 and SD8, Local Plan Policy SP7, and the NPPF

10 in support
0 in objection
1 abstention
CARRIED - REFUSE

Application Number:	18/00846/FUL		
Location:	66 Townsend Street, Cheltenham		
Proposal:	Two-storey side extension (revised scheme ref: 17/01303/FUL)		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	2	Update Report:	None

GD introduced the application as above, a revised scheme following the refusal of a previous scheme last November. The recommendation is to permit, for reasons set out in the report, and the application is at Committee at the request of Councillor Hobley, in view of neighbours' concerns.

Public Speaking:

None. Having requested a Committee decision, KH confirmed that he would make some brief comments as ward member.

Member debate:

DS: considers this can only be a good thing for the area – it will tidy up a building in poor condition. We have been assured that, instead of being an additional bedroom for an HMO, the space to the side will be a garage – can there be a condition preventing it from being converted into another bedroom? The proposal is for a three-bedroomed house not a six-bedroomed one. As such, will vote in support.

KH: a number of residents got in touch about this application, raising concerns about this property. Explained to them that a lot of these objections could not be considered as relevant planning grounds for refusing the application, which has been very frustrating for the neighbours and for himself. Neighbours are largely concerned with anti-social behaviour, which is likely to increase if the application is granted – but this is not a planning matter. Has great sympathy with these neighbours in tightly-packed areas, and is concerned that the proposed garage may not accommodate a car. Consideration for this has been made by officers, with a condition that the garage can only be used for a car and ancillary domestic storage. If a condition could be included to prevent the garage from being made into a bedroom, we would need to ensure no internal door between the house and the garage at this stage. Also ask for a committee decision as the neighbours asked for opportunity to speak – although they have chosen not to do so, as is their right. Members also as many know that St Paul's has problems with a proliferation of HMOs, which needs some sort of management. Agrees by and large with DS, that this will be an improvement on what is there at the moment. Has concerns about what will happen in long run but not for Committee tonight.

JP: as a point of education, and having no queries about this particular extension, what is the logic for always requiring that extensions are set 1m back from the pavement, when the space could be better used within the extension? Understands this has something to do with the need to be able to 'read' the original building – which might not be quite so clear otherwise?

KS: regarding a possible garage condition: if we require it is used for parking only, will that be enforceable? How will we know if the occupants are using it for storage or for living space? Looking at the dimensions of the garage and the small space between the houses, it may not be possible for a car to get in and out, resulting in the loss of a parking space in area where parking is already difficult.

SW: if we don't want the garage converted to living space at a later stage, requiring there to be no door between the house and garage wouldn't work – this is often the case. Is happy for this application to go ahead, but it would work better if the front wall was moved forward a bit. Would be happy to see the frontage all in a line, and the applicant should be allowed to do this if it makes a better line. If we could have a condition that this won't be used for residential – storage/workshop OK, but not a living area – this would suffice for him.

PM: recalls a garage at 24 Horsefair Street where the highway between two buildings required a build-out to allow it to be used. Do we need highways advice on this before moving forward? Is intrigued about who would park in the garage anyway. People are more likely to park in the street, and more likely to need the garage as secure storage for bikes etc. There is history here – the previous application included a bedroom in the basement. Would like a condition to ensure no-one attempts that again. Is minded to approve; agrees with DS that the house is a blot on the landscape as it currently stands. This can't be any worse.

GD, in response:

- To JP's question about set-backs, the Local Plan and Supplementary Planning Documents state that an extension needs to be subservient to the existing house. The SPD ideally requires a first floor set back of 1m. In this instance, the applicant was asked to provide this to ensure subservience, and this is what he came back with;

- Regarding the size of the garage and a possible condition for it to remain a garage rather than be converted to a bedroom, the SPD states that garages are to be wide enough to exit the car from one side, and the proposed garage achieves this; a condition is included to ensure the garage cannot be converted without permission;
- Highways officers were not consulted this time, as this proposal will not make any difference to the existing arrangement in highways terms; a visibility splay could not be achieved here and therefore the existing arrangement would apply;
- Regarding the use of the basement space, this is not part of the application. How it is used is up to the applicant or owner of the property; it cannot be controlled by condition.

KH: the garage is quite small and narrow; not likely to be big enough for a car.

DP: why is it important that the extension should be subservient to the main house?

GD, in response:

- It is our view as a local authority that it is important that extensions don't dominate the original building, or do anything to be detrimental to its character or charm. A large extension could overpower a building, and draw attention away from the existing house. This is why policy and planning guidance is in place.

DP: as GD has explained, this is 'guidance' and should be used on a case by case basis. It is not appropriate here.

KH: we need to determine the application as submitted by the applicant, regardless of what Members may think about the overall policy.

GD, in response:

- Members need to make a judgement call on what is before us, what the applicant has submitted.

Vote on officer recommendation to permit

9 in support

1 in objection

1 abstention

PERMIT

Application Number:	18/00934/FUL		
Location:	68 Sandy Lane, Charlton Kings, Cheltenham		
Proposal:	First floor front extension, single storey extension to the rear of the garage, first floor side extension, application of render and timber cladding and replacement windows and doors (revised scheme to previously approved application ref. 17/01984/FUL, changes to include an increase in the overall height of the first floor addition by approx. 400mm, removal of fascia/guttering detail and removal of first floor side elevation cladding) Part-retrospective.		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Refuse		
Letters of Rep:	7	Update Report:	None

BH introduced the application as above, for planning permission for changes to a recently-approved scheme, originally a first floor front and single storey rear extension, first floor side extension, and remodelling of the property. Permission for the majority of the works has been granted, and the current application is only concerned with the changes – the increase of approximately 400mm in the

height of the first floor, and removal of fascia, guttering and cladding. The application is part retrospective, as the first floor front extension has already been built at the height now being applied for. It is at committee for transparency, as a senior staff member at CBC lives next door. The officer recommendation is to permit, subject to conditions.

Public Speaking:

Mrs Atkins, neighbour, in objection

Is the owner of the property most affected by these changes, and frustrated to be making formal representations about a development not built to the consent granted. At Committee last year, it was clear that the proposal would have considerable impact, but Members were advised that with careful control over detailed design and materials, a high-quality scheme would be delivered. On this basis, they agreed to permit it. The scheme has not been delivered with the careful execution required. Understands that the new scheme is assessed as a new application, and therefore feel it fails to meet the council's policy requirements as follows: firstly, visual impact – this is an attractive, prominent corner plot, highly visible on a road used by many walkers and residents. The increase of 0.5m results in an over-dominant extension, which detracts from the street scene. The extension becomes the focal point of the plot and breaks the roofline of the existing house. Officers accept that this is an awkward relationship, but Policy CP7 requires a high standard of design, and this falls short of that. Supplementary planning guidance requires extensions to be subservient, not detract, and play a supporting role, but it is clear that the enlarged forward box of this extension is not subservient - policy requirement is therefore not fulfilled, and this is not addressed in the report, although it was highlighted in two other reports of residential extensions on tonight's agenda. Secondly, loss of amenity: on site visit, Members will have noticed that the additional height of the extension has impacted the light entering her kitchen – the obscure-glazed side window is the only direct light source. Through-light from other secondary windows has no impact on the kitchen light. Policy CP4 requires the protection of existing amenity, but the increase in height detracts from it. It is described as an oversight, and stated that building to the approved plan will result in lower internal ceiling heights. But the the majority of the structure is a balcony with generous internal height; achieving consistent internal ceiling height through to a balcony should not be adequate justification to contravene planning policy. Members will probably be told that the additional height is marginal but it is not. Two additional courses of blockwork change the design and appearance of the extension, pushing into the roof, causing additional impact on her home and the street scene. The application is in conflict with local policies CP7 and CP4.

Councillor Harvey, in objection

Is chair of CBC's audit committee and has been struck by the inconsistency in reports and officer advice tonight. For the application at Townsend Street, subservience was clearly expected, so as not to dominate the street scene or change the character of the area. Here we are considering a property at the bottom of an incline towards the AONB, and a proposal for an extension which is clearly not subservient. It's clear that there was a lot of thought from Members when they considered the previous application, and their concerns were largely mitigated with a good set of conditions. This current application sets a poor precedent – if you really want a development, ignore the conditions to protect neighbours, carry on with work – then apply for retrospective permission. Would ask Members to reflect on this, and what message it sends to developers – go along with a thoughtfully-discussed planning permission, then slap in retrospective. This proposal doesn't comply with Policies CP7 and CP4. Members are told to consider each application on its own merits, but there are inconsistencies tonight which could set a precedent. The neighbour has set out reasons why this application should be refused; policies CP7 and CP4 are there for a reason.

Member debate:

DP: a question on detail: does the change between the height of this application and the approved plans make any difference to CP4 and CP7?

SW: remembers the two previous applications at this site; didn't like the first one, but was quite pleased that the second one had addressed a lot of the concerns of neighbours, and the Committee was happy to permit it. The applicant hasn't done a complete switch round – but you don't accidentally put up half a metre of wall. On the concern about inconsistency, this evening there have been arguments about subservience - but the previous application was what the applicant wants and has applied for; this isn't, and this applicant should go back to the last plan as agreed.

DB: a question: if this application is refused, would the applicant have to revert to the last application granted?

PM: was not present at either of the previous two committee meetings when the applications at this property were discussed, but has looked back at the previous minutes, in particular at the comments of Councillor Baker, who would normally speak on this if he were present. He congratulated the architect on the second proposal which, while not subservient, was a better scheme and much improved on the previous one. Looked at the site at the weekend and has read all the paperwork; is shocked at how big the 'box' on the front is – not in line with his definition of subservient. Didn't see round the back of the house, but struggles with this application, and also with the way the applicant has gone about this. A previous adjustment to a kitchen window was needed; the plans were modified in the proper fashion, proving that the applicant knows the proper way to go about it, but the principle here seems to be – in the event of a cock-up, build it anyway, then go to planning department – why not look for practical solutions to make it work? This is not our problem; it is their problem. Is inclined to require them to knock it down.

JP: the key words here are consistency and subservience. The original form was not subservient, and the additional 400mm makes it more dominant; the side element is unbalanced and ugly. Regarding consistency, recalls a similar situation a few months ago, where the building was put up higher than it should have been. The Committee agreed that it should be taken down, and the same should happen here.

KS: if this application was the original application, what would the officer recommendation be? Are Members considering the difference between this and the extant planning permission or this and the house as it was before? It looks like a new house in its own right – a super-big, modern house. Would it be acceptable re. policies if it was the original application?

KH: would remind Members of the parameters of what they are voting on tonight.

BH, in response:

- The extant permission is the fall-back and still intact – so if this application is refused, the applicant will need to revert to that. It is clear that Members are not being asked to consider the whole scheme tonight, just the difference between the permitted and the proposed schemes, and whether that difference is unacceptable in terms of design and impact on amenity;
- Members have already accepted the original design as acceptable and the impact as not unacceptable; is the increase in height sufficient for them to refuse on either of these grounds;
- Regarding subservience, it should be noted that this is not a traditional extension but part of a wholesale remodelling of the house. This may not have been obvious on the site visit, as works have halted and scaffolding is still in place, but officers have taken the remodelling into consideration.

KH: if this proposal was the original scheme, would officers have recommended it for approval?

BH, in response:

- Yes, the proposal would have the same recommendation. For the current proposal, the question is whether the additional height will cause unacceptable harm to neighbouring amenity and design. Officers do not consider that it will, hence the recommendation to permit.

DP: what is the difference in height between the permitted scheme and the additional 0.4m? What is the proportion of the overall height?

KH: Members have made some important observations on this, and appreciates the way in which those in objection are looking at it, but is not of the opinion that we should refuse. Rightly or wrongly, the applicant has started building the scheme, but things don't always work out as we think they will - he has realised that the original plans are not up to scratch, and is now seeking to redress that. Appreciated the neighbour feeling that this will impact on their light, but the officers state that it will be OK, and not sufficiently impacted to make a difference. Realises it is frustrating for Members if they don't like the approved design, but we are not voting on the whole thing, only on the change. It is important to bear this in mind when making the decision.

BH, in response:

- The current proposed height is 5.65m; the original height was approximately 5.2m.

DP: so the increase is less than 10%. The impact of this will be marginal. Notes the appeal decision at The Hayloft, the legal advice, and the costs decision. This is a no-brainer.

PM: has difficulty with that view. Anyone can come with an application, have it approved, then automatically add on an extra 10%. Is not convinced; felt the tipping point was reached with the previous proposal – Councillor Baker is minuted as struggling to support it, and being concerned about its lack of subservience.

Vote on officer recommendation to permit

3 in support

7 in objection

1 abstention

NOT CARRIED

CH, in response:

- In the context of the debate this evening, Members would be looking to refuse this application on Local Plan Policies CP7 (design) and CP4 (amenity), and JCS Policy SD4 (design). There are two elements here; are Members of the view that either design or amenity is the more significant issue?

DP: is interested in what an appeal inspector would take into consideration – the overall design or just the changes from what has already been permitted?

CH, in response:

- she/he would only be concerned with the changes from the approved scheme.

KS: regarding the impact on amenity, the neighbour says there will be loss of light from the kitchen; is this classed as a habitable room in planning terms? Is the proposed extension next door contributing to more loss of light to the kitchen? Would like to hear more about that. Considers the design to be the main issue – scale, bulk, mass in this location, and the impact on the area.

DS: if the builders have to alter the heights, at the end of the day will enforcement officers check that they have conformed with tonight's vote?

BH, in response:

- It was enforcement officers who invited the applicant to put in this retrospective application, and they will have to make the decision. The applicant would have the right of appeal, against the decision tonight and any enforcement case;
- Regarding light to the neighbouring property, a kitchen is considered to be a habitable room. The neighbour's kitchen window is currently obscure glazed, and a further light source on the rear element of the property is not impacted by the extension at No. 68. Officers consider that that additional light source compensates for any impact on the obscure-glazed side window.

PM: is vague on policy numbers, but can officers confirm that the concern that the additional 0.5m results in the extension cutting into the roof line of the existing house is included in the refusal? Regarding subservience, the eaves of the existing extension tuck in, but this is now awkward and not consistent with good design.

KH: Members need to decide if the refusal is on design, amenity or both. To recap, the policies currently being put forward are CP4, CP7 and JCS SD4.

CH, in response:

- the design element - CP7 and SD4 - is sorted, but can Members articulate the specifics of the issue of CP4 (amenity)? Is it just light to the side kitchen window or a wider issue?

KS: is not sure we should include loss of amenity as a refusal reason. Design, mass, bulk and scale in this location are the issues here.

KH: the clarity we need is the specific grounds on which we are refusing the application – just design, or design and loss of amenity? For design only, it would be CP7 and SD4.

KS: formally proposes refusal on those grounds only.

Vote on KS's move to refuse on CP7 and SD4

7 in support
3 in objection
1 abstention

MOTION CARRIED - REFUSE

7. Any other business

PM: notes that every Agenda item tonight has a previous history, and has found it useful to look back at the previous minutes when reading the papers. It is sometime difficult to find the relevant minutes, and would be helpful if these could be included, where proposals have been discussed previously.

DS: agrees that this is a good idea.

SW: there would need to be a reference or link to the previous application.

DP: this won't tell Members where the minutes are.

CH, in response:

- in the body of report, there is always a list of constraints, planning history, reference numbers, dates of decisions which Members can refer to.

KH: a link would be useful for Members using an i-pad, or inclusion of the previous minutes in the report or agenda – just a thought.

CH, in response:

- officers will take this into consideration.

The meeting ended at 8.55pm.

APPLICATION NO: 18/01083/CONDIT	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 1st June 2018	DATE OF EXPIRY: 27th July 2018
WARD: Benhall/The Reddings	PARISH:
APPLICANT:	Mr M Le Grand
AGENT:	Mark Le Grand & Co
LOCATION:	Cotswold View, The Reddings, Cheltenham
PROPOSAL:	Variation of condition 2 on planning permission ref. 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes.

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a two storey detached dwelling located on the north side of The Reddings, just to the west of the junction with North Road East.
- 1.2 Planning permission was granted in November 2017 for the demolition of 'Cotswold View, a detached dwelling, and its replacement with 3 no. dwellings, a pair of semi-detached dwellings and a detached dwelling.
- 1.3 Planning permission is now sought to vary condition 2 (approved plans). The variation proposed is to add one roof light to the front and rear elevation of each dwelling to facilitate the provision of an attic bedroom within each property. The work has already been carried out.
- 1.4 Applications to vary conditions are known as s.73 applications and are commonly used to vary proposals. The consultation process is the same as a planning application and a new decision, along with relevant conditions is issued at the end of the process.
- 1.5 The application is at committee at the request of Cllr Collins due to the level of interest locally and an objection from The Reddings Residents Association.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m

Relevant Planning History:

17/01220/FUL 21st November 2017 PER

Demolition of existing dwelling and erection of 3no. dwellings

17/02298/DISCON 19th December 2017 DISCHA

Discharge of conditions 3 (facing materials), 4 (Construction Method Statement), on planning permission ref. 17/01220/FUL

17/02483/DISCON 22nd December 2017 DISCHA

Discharge of conditions 7 and 8 of Planning Permission 17/01220/FUL, please refer to the documents appended to this application

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD10 Residential Development

SD14 Health and Environmental Quality

INF1 Transport Network

Supplementary Planning Guidance/Documents

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

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

12th June 2018

I refer to the above application for variation of Condition 2 received on 6th June 2018, with Plan(s) Nos 17-230/04 to which no Highway objection is raised.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	69
Total comments received	20
Number of objections	20
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to 69 properties, including those in close proximity and those from whom representations were received in response to the original application. This includes an objection from The Reddings Residents Association. The main issues raised were as follows:

- Concern that work on the roof lights has already started – due process has not been followed
- Concern that extra bedroom will increase demand for parking/inadequate parking for four bedroom houses. Highway safety.
- Impact on privacy
- Overdevelopment
- Additional noise
- Concern over the format of the application i.e. s.73 application.

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) fall-back position, (ii) design and visual impact, (iii) neighbour amenity, (iv) highways issues.

6.2 The site and its context

6.2.1 The application site is within the Principle Urban Area of Cheltenham and the principle of development for three houses has been accepted through the granting of planning permission last year (17/01220/FUL).

6.2.2 This application proposes roof lights to the front and rear elevations. Therefore the consideration of this application relates purely to the issues arising from this proposal and it is not possible to revisit any other issue in relation to these houses.

6.3 Fall-Back Position

- 6.3.1** Members will be aware that sometimes a 'fall-back' position is established for sites which relates to what would be possible on the site in the absence of the current application.
- 6.3.2** In this instance it is important to inform members that were the houses completed, permitted development rights would exist which would allow the proposed roof lights to be inserted without the need for planning permission. This is a significant material consideration in the determination of the application.
- 6.3.3** Because the houses are still under construction, planning permission is required to insert them at this time, hence the current application.
- 6.3.4** It is also important to note that planning permission is not specifically required to alter the number of bedrooms within a dwelling. For example, a large bedroom can be subdivided, to create two bedrooms, or a dining room or study, could be used as a bedroom without the need for planning permission.

6.4 Design and layout

- 6.4.1** Local plan policy CP7 (design) requires all new development to complement and respect neighbouring development and the character of the locality. Additional design principles are set out within adopted JCS policy SD4.
- 6.4.2** The roof lights are modest in scale and set well within the roof slope. It is not considered that they would impact negatively upon the dwellings themselves or the character or appearance of the wider area.
- 6.4.3** As such it is considered that the proposal accords with the aims of policy CP7 of the Local Plan and policy SD4 of the JCS.

6.5 Impact on neighbouring property

- 6.5.1** Saved local plan policy CP4 (safe and sustainable living) advises that development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users or the locality. The policy is consistent with advice set out within adopted JCS policy SD14.
- 6.5.2** The roof lights on the front elevations serve WCs and those on the rear serve bedrooms.
- 6.5.3** The roof lights on the rear roof slope would be over 23m from the properties at the rear and would not result in undue overlooking of any neighbouring properties.
- 6.5.4** The roof lights to the front serve bathrooms and are therefore likely to be obscure-glazed, however they are across the road from neighbouring properties and as such would not result in unacceptable overlooking of neighbouring properties.
- 6.5.5** As such it is considered that the proposal accords with the aims of policy CP4 of the Local Plan and policy SD14 of the JCS.

6.6 Access and highway issues

- 6.6.1** Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission will be granted where the impact of the development will not be severe.
- 6.6.2** A number of objections have raised concerns that due to the increase in accommodation within the properties from 3 to 4 bedrooms, the 2 parking spaces per dwelling proposed is no longer sufficient and therefore the proposal would result in additional cars parking on the highway, causing safety and congestion concerns.

- 6.6.3** These concerns are not shared by the Highway Authority or the Local Planning Authority. There are no formal parking standards, with parking provision being based on average car ownership in the locality. The Highway Authority advise that 2 parking spaces is sufficient for a 4 bedroom house in this locality and would not result in a severe impact on the highway network, which is the test outlined in JCS policy INF1 and the NPPF.
- 6.6.4** In any event, it must be remembered that, as outlined in section 6.3, these works would be capable of being carried out under permitted development, were the houses complete.
- 6.6.5** Therefore it is not considered that the proposal results in an unacceptable impact on the highway network.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons outlined above the proposal is considered to be acceptable and is therefore recommended for approval. The list of conditions has been updated to reflect the current stage of construction.

8. CONDITIONS / INFORMATIVES

- 1 The approved Construction Method Statement shall be adhered to throughout the construction period.
Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.
- 2 The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.
Reason:- To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- 3 The building(s) hereby permitted shall not be occupied until the vehicular parking [and turning] [and loading/unloading] facilities have been provided in accordance with the submitted plan 17-230-07 Plot 1, 17-230-07 Plot 2 and 17-230-09 Plot 3, and those facilities shall be maintained available for those purposes thereafter.
Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- 4 All hard and/or soft landscaping works shall be carried out in accordance with the previously 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.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

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

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

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) 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.

- 2 The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
- 3 The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

APPLICATION NO: 18/01083/CONDIT		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 1st June 2018		DATE OF EXPIRY : 27th July 2018	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	Mr M Le Grand		
LOCATION:	Cotswold View The Reddings Cheltenham		
PROPOSAL:	Variation of condition 2 on planning permission ref. 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes.		

REPRESENTATIONS

Number of contributors	21
Number of objections	20
Number of representations	0
Number of supporting	1

Lynwood
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 25th June 2018

Once again it appears that developers are trying to get away with building something for which they do not have planning permission. The site is overdeveloped with 3 properties replacing the former single dwelling on this site. The buildings under construction do not blend in with the surrounding properties. Planning permission should not have been granted in the first place and to allow them to now become 4 bedroom properties with the attendant extra parking generated makes a mockery of the planning system. Please reject this change to the permission.

Niamey
North Road East
The Reddings
Cheltenham
Gloucestershire
GL51 6RA

Comments: 30th June 2018

What a cheek! Devious attempt by the developers to get the four bedroom houses they wanted in the first place.

The Planning process must put its foot down to stop these cynical "variations" to original consents. There will simply be insufficient parking to service four bedroom houses - I can see exactly what will happen if this goes ahead (and probably will anyway) overflow parking will move to the narrowest part of North Road East - near the mini roundabout. We already have experience of the chaos this causes by the builders vehicles always parking there. How about double yellow lines along this stretch of road in any event?

They can't be allowed to get away with this.

2 Barrington Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6TY

Comments: 10th July 2018

I object on the grounds that initial planning permission was given to only three bedroom houses. To allow the builder to completely ignore the planning application process and build a fourth bedroom without necessary permission makes a mockery of the process. Adding to these dwellings increases the number of people living in a small space on the already overly busy Reddings Road. With more people comes more cars and more traffic which we have on many occasions almost caused catastrophic accidents. To allow this to go ahead will be to the detriment of those residents already living on and around the location. Furthermore it will make a farce out of the CBC planning application process completely undermining its authority and experience of the council and its powers of enforcement.

The Reddings Residents Association

Comments: 27th June 2018

Letter attached.

8 Orchard Close
The Reddings
Cheltenham
Gloucestershire
GL51 6LD

Comments: 12th June 2018

This revised planning permission suggests that it is for the addition of rooflights. However it also appears that it also includes an extra floor and bedroom making these 3 bedroom properties 4 bedroom.

There was a lot of objection to the massing of this development when the original planning application was submitted as 3 bedroom dwellings. Surely this bedroom addition cannot be allowed as it would set an awful precedent as to a way of shortcutting the planning process on contentious sites.

Therefore I object to this application.

3 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 27th June 2018

Having failed to be able to leave a comment on the Council Planning Website, despite trying repeatedly over the last 10 days I would be grateful if you could post the following objection for me.

The development consisting of x 3 Bedroomed houses has indeed been built; I would question whether the height of these houses is what was actually approved. Approval was given for them to consist of 3 bedrooms.

I am now appalled that that there has been a submission for an alteration in the original planning application that was approved.

Appalled, because the developers have not waited for your approval for these alterations, the houses are being advertised as 4 bedrooms and the application for the Velux Windows, well they have ignored this and have already installed them. This arrogance is, I understand on the basis that developers are rarely, if ever, asked to remove development changes they made whilst waiting for permission. Are there, I wonder any boundaries to this custom and practice?

I do object to these houses having the windows and 4th bedroom, all of which I can see from my kitchen. These buildings have made the lovely south facing garden dark, I have lost all the privacy I ever had, and the buildings are much closer to my fence than the impression the plans seemed to give. They loom over my back garden!

This continual attack on The Reddings really is unfair - I repeat one of my earlier comments that the original destruction of that old cottage would not have happened in Stow or Bourton; why is Cheltenham so different and often so unreasonable in its decisions?

2 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 8th June 2018

This application takes the approved 3 dwelling development from three to four bedrooms houses with all the implications that has on neighbour privacy, additional parking, access and traffic disruption.

If the original application had been for four bed houses the implications would have been able to have been considered properly by the neighbours and the planning authority, but, as it is an amendment at a point when the waterproof shell is nearing completion, there is no chance to re-assess the impact other than to oppose this amendment.

As the development is being marketed as Executive houses the additional bedrooms make it questionable whether the parking provided will be sufficient and could lead to a more likely scenario where there will be more on street parking at a location that is likely to have a considerable impact on traffic movement.

The layout of the nearby mini roundabout already has problems with manoeuvrability of buses and lorries and has recently been damaged, and additional parking will not make this any easier to negotiate.

This amendment should be refused and the original 3 Bed approved application should be enforced.

Fernleigh
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 21st June 2018

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What contempt Mr LeGrand seems to have for the planning process!

He didn't apply to build three 4 bedroom houses. They would almost certainly be rejected. Instead he sought permission for three 3 bed houses. He then attempted to add a whole new storey to each property, presumably hoping no-one would notice until it was occupied, when it could be chalked up as Permitted Development.

Fortunately, local residents did notice and now he has to apply for permission for this sneaky, underhand change.

Despite this perceived blatant attempt to circumnavigate the law, there are good reasons to reject this application:

1) Three large four-bed properties in this location are clear overdevelopment:

One only needs to walk past this building site to realise that this development - as many argued at the time - is grossly out of proportion with other constructions on the road and it jars with the rest of the street scene.

2) The floor plan of each house is significantly enlarged:

Had the original application been for such huge properties, it would have almost certainly been rejected.

3) There is insufficient parking for 3 four-bedroom properties on this site:

It will lead to even more street parking close to a hazardous junction, causing serious visibility issues for vehicles and pedestrians and a danger to life.

4) Inconsistencies in the original traffic survey have come to light throwing into question the validity of the whole application:

Volume of traffic and speed issues may well have been misrepresented. This should be investigated fully before a decision is made and work stopped until clear answers are forthcoming.

I hope, with the wisdom of hindsight Councillors now realise it was a huge mistake to approve this development and refuse this significant change to the original specification.

Mr Le Grand is not above the law and I urge the Committee to reject this application.

Comments: 21st June 2018

I notice, with interest, that Mr Le Grand has been caught trying to add an extra storey to his much detested development on the old site of Cotswold View in the Reddings.

It's rather lenient of the compliance officer to allow construction to continue. It reflects badly on compliance that developers believe they can do what they like with little to no challenge. Surely this makes the whole system farcical?

In light of the fact that parking provision is woefully inadequate for four bedroom properties, I'm assuming you will not be recommending approval this time around?

Now these dreadful monstrosities are being thrown up, it's very clear that - as many of us argued at the time - the site is over developed, the size of properties is inappropriate and this should never have been approved in the first place. This latest insult from Mr Le Grand, with respect, rather makes fools of the Planning Department and those who voted for the development. I hope you take a dim view of his antics here and will push back appropriately.

I notice also that TRRA has picked up some alarming inconsistencies concerning the traffic survey with hundreds of cars mysteriously vanishing from the data! I trust you are giving this the serious attention it requires? I also hope our local elected representative will be taking this up.

I remain convinced this application was and is a mistake and I hope the Council will finally be strong in its handling of Mr Le Grand. As a community, we strongly resisted the destruction of Cotswold View and it is right we feel just anger at what is happening on this site. I hope when this goes before committee again, Councillors will do the right thing and reject this.

Coppalex
North Road East
The Reddings
Cheltenham
Gloucestershire
GL51 6RE

Comments: 30th June 2018

This application should read as a retrospective, full application for three extended 4 bedroom properties, rather than a variation to permit Velux type roof lights.

It will most likely result in an increase in occupancy with the requirement for additional parking and there is no provision for this. Any additional vehicles will most likely end up parking on North Road East close to the busy and dangerous junction. The raised roof height and additional velux type roof lights will further increase the loss of privacy for those living behind this development.

Considering the strength of local opposition when Cotswold View was demolished it is appalling that this is being allowed to happen.

The developer is obviously very confident that he will get the permission he requires as work continues apace on tiling the roof.

Allowing this application to go ahead sets a worrying precedent and should therefore be rejected.

4 The Grange
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 18th June 2018

I am writing to object the above proposal.

The original planning permission was given for 3 x 3 bed houses which in the space is already excessive. Adding another bedroom will potentially mean 5 plus people at each address giving potentially 15 extra cars in that small space. The parking at each property is at present only enough for 1 car. This will mean potentially 12 extra cars needing space for parking which will obstruct the roundabout or push the parking round the corner into North Road East which is already suffering from extra parking with the BMW employees.

This will be a dangerous situation and will exacerbate the parking problem.

Not to mention the additional noise from the potential of 15 extra residents in that small space. The gardens are already tiny for that amount of people and the extra noise and lack of privacy for the houses at the back and front will be excessive and anti social. Who would like that development so close to the rear of their back garden?

It looks like this was already decided before the application was made due to the presence of Skylights already present in the roof. The builders obviously knew this would not be allowed in

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the initial application so it shouldn't be allowed now. The picture on the site of the houses doesn't show any skylights despite them advertising 3, 4 bed houses before the permission has been given. This is typical practice of builders and should be stopped now! It shows total disregard of the neighbours feelings and their quality of life and will no doubt cause conflict.

This application should be refused and the original plans enforced.

Fayrecroft
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 27th June 2018

I feel that this is a cynical exercise to manipulate the planning system by applying for 3x3 bedroom properties and then trying to push through the alleged original intention of building 3x4 bedroom properties.

I feel that if 3x4 bedroom properties had been originally put forward, the application would not have been successful ,especially as the off road car parking provision would not have been adequate.

Cars and vans are already clogging up North Road East near the mini roundabout. Any additional cars on this development would have to park on the road. If they were parked on Reddings Road they would hinder visibility, while they would present an additional obstruction on North Road East.

In either case they would increase the risk of road accidents.

I also find it odd that they are being marketed as "executive homes." If I was looking for an executive home I would look at Grace Gardens or Redgrove Park. Although I appreciate photographs can sometimes be deceptive, I would be very disappointed to view one of these three properties crammed into a comparatively small area.

I feel that to grant permission would set a dangerous precedent to other local planners.

I feel that the planning should also protect the interests of the neighbours. One neighbour has already stated that his privacy has been compromised.

This application should be rejected.

Lynwood
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 25th June 2018

I object to this variation as it will add an additional bedroom to the houses currently under construction. More bedrooms mean more people and more cars. There is not enough parking provided even for the houses as they were given permission to be developed. If people then park on the road it will cause obstruction on what is already a narrow road and a bus route. I feel it is a cynical use of the planning process for a developer to ask to build one thing and then ask for a variation to allow an even bigger development to make more money out of it. From reading other

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comments with the description of the building process, it appears this was the intention all along. I do not feel this should be allowed. Please reject it.

3 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 19th June 2018

Having failed to be able to leave a comment on the Council Planning Website, despite trying repeatedly over the last 10 days I would be grateful if you could post the following objection for me.

The development consisting of 3 Bedroomed houses has indeed been built; I would question whether the height of these houses is what was actually approved.

I am now appalled that that there has been a submission for an alteration in the original planning application that was approved.

Appalled, because the developers have not waited for your approval for these alterations, the houses are being advertised as 4 bedrooms and the application for the Velux Windows, well they are ignoring this and have already installed them. This arrogance is, I understand on the basis that developers are rarely, if ever, asked to remove development changes they made whilst waiting for permission.

This was inferred at the recent Reddings Resident Association by one of the Planning Committee members.

I do object to these houses having the windows and 4th bedroom, all of which I can see from my kitchen. These buildings have made the lovely south facing garden dark, I have lost all the privacy I ever had, and the buildings are much closer to my fence than the impression the plans seemed to give. They loom over my back garden!

This continual attack on The Reddings really is unfair - I repeat one of my earlier comments that the original destruction of that old cottage would not have happened in Stow or Bourton; why is Cheltenham so different and often so unreasonable in its decisions?

Comments: 27th June 2018

Having failed to be able to leave a comment on the Council Planning Website, despite trying repeatedly over the last 10 days I would be grateful if you could post the following objection for me.

The development consisting of x 3 Bedroomed houses has indeed been built; I would question whether the height of these houses is what was actually approved. Approval was given for them to consist of 3 bedrooms.

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Appalled, because the developers have not waited for your approval for these alterations, the houses are being advertised as 4 bedrooms and the application for the Velux Windows, well they have ignored this and have already installed them. This arrogance is, I understand on the basis that developers are rarely, if ever, asked to remove development changes they made whilst waiting for permission. Are there, I wonder any boundaries to this custom and practice?

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I do object to these houses having the windows and 4th bedroom, all of which I can see from my kitchen. These buildings have made the lovely south facing garden dark, I have lost all the privacy I ever had, and the buildings are much closer to my fence than the impression the plans seemed to give. They loom over my back garden!

This continual attack on The Reddings really is unfair - I repeat one of my earlier comments that the original destruction of that old cottage would not have happened in Stow or Bourton; why is Cheltenham so different and often so unreasonable in its decisions?

5 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 20th June 2018

I live behind the houses now being built. I saw the work on the roof and the provision for the roof lights, and the installation of the windows, shortly followed by the tiling.

I don't understand the process if a builder is given permission to build three, three bedroom houses (one too the many for the site in my opinion), then proceeds to put a sign up describing them as four bedroom executive homes.

Now, clearly, provision has been made for the fourth bedroom in the roof before the change in plans are even considered.

The implication is that the builder knew it would be approved. If so, how? By whom?

In addition, describing the houses as "executive", gives a false impression of grandeur and space. The houses are large, imposing, but out of all proportion considering the size of the plot.

The parking spaces at the front and the shaded gardens at the rear are very small, totally inappropriate for houses of this size.

One parking space per household? As the site is very close to the mini roundabout, there will not be room for street parking close by, so I expect North Road East will be the carpark.

It's too late to do anything about the build, apart from reinforcing the original plan for three bedroom houses.

So I would like to see the enforcement of the original plans and the roof lights removed.

March House
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 19th June 2018

I object very strongly to this proposal; it is yet another example of a property developer cynically abusing the planning system.

Approval for this development was granted after a protracted debate extending over 2 meetings of the planning committee. The major concern was about parking and additional vehicle movements increasing the hazards on this already busy bus route.

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Permission was eventually granted in November 2017, Condition 2 of the decision clearly stated that the development was to be in accordance with the approved drawings which clearly show 3 properties, each with THREE bedrooms. The existing building was demolished, and construction of the new houses started in January 2018.

Around March 2018, a hoarding appeared at the edge of the site advertising three FOUR bedroomed houses, in other words what was being built blatantly disregarded condition 2 of the formal permission. This 'CONDIT' application is a retrospective attempt to regularise this situation.

This is a MAJOR CHANGE to the original application. It is simply unacceptable for a developer to get planning permission, then build something different (hoping no-one will notice) and then put in a retrospective application to be 'noddled through' by a compliant officer in the Planning Department. In the Reddings area alone to my knowledge this has happened before (The Hayloft - and probably BMW also), and will undoubtedly happen again should the Aldi development be allowed. This application should be referred back to the full Planning Committee and REFUSED. This might encourage developers to operate in accordance with the planning laws in future.

There are other valid reasons for refusing this application which are set out in other comments on this application, and which I support.

Iona
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 15th June 2018

I wish to object to the variation condition.

The applicant obviously knew what he wanted build but was aware that an application for a three storey building in this area would most probably be rejected.

The fact that he has now applied for the condition to add roof lights (which he has already installed) and increase the number of bedrooms to 4 as stated on the advertising banner attached to fence around the site is purely his way of getting around planning restrictions.

If this condition is permitted it will lead to a further loss of privacy to the neighbouring properties.

Carobs
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 24th June 2018

Initial planning permission was given for 3 3-bedroom houses which have been shoe horned into a space that previously contained one cottage. The developer has asked for retrospective planning to include a fourth bedroom for each house and confident enough to change the advertising board already offering four bedroom houses. The Residents Association had already queried the roof height but this presumably went unchallenged? Parking for the houses is already inadequate but the likelihood of more car owning occupants parking on the street in the proximity of the Reddings and North Road East roundabout is inevitable. The Reddings is a main Stagecoach bus route. Are they ever consulted as to the effect it might have on their operation? Gloucester Highways also need to give this proposal serious consideration.

Hamilton
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 16th June 2018

This is a retrospective application - the changes have already been made! Also this is an application to add a whole extra floor, not just rooflights.

This change enables the properties to become 4-bed, 3-storey houses instead of the "2-3 bed" 2-storey properties approved in the initial application. This is a significant increase across the three houses and shouldn't be sneaked in using an S73 application.

A key point of the original approval is that parking is limited - going from "2-3 bed" to "3-4 bed" is a 30-50% increase in occupancy, and there is just not the space for that increase in parking.

4 Shakespeare Cottage
North Road West
The Reddings
Cheltenham
Gloucestershire
GL51 6RF

Comments: 12th June 2018

This retrospective application - which has for some reason not been identified as retrospective - should not have been accepted as anything other than a full application for 3 larger 4 bedroom properties.

An S73 application is for minor material amendments where the scale and nature result in a development which is not substantially different from the one which has been approved. A 33% increase in potential occupancy and 33% under provision of parking is not insignificant.

Although the application only mentions rooflights, the layouts show an additional storey with extra bedroom and therefore an under provision of parking as 3 spaces should be required - this is not achievable on an already cramped site though no doubt the limited landscaping will be completely eradicated to try.

The fact is that the developer has not sought to resolve the matter of breaching the planning approval - that would involve them building what they have permission for. They have instead asked CBC to vary the approval to allow them to build what they want to build (and are currently building on site).

Planning enforcement will not take any action as they believe it would be a "waste of public funds".

Planning enforcement is a discretionary power that should be used to put right harm caused by a failure to comply with planning control. Such action should normally occur when the breach in question results in an unacceptable departure such that the scheme in question would have been refused planning permission if it had been the subject of a planning application.

A scheme of 3 storey dwellings with 4 bedrooms would not have got planning permission. It may even be that the developer had a pre-planning consultation on such a scheme and was told it would not be acceptable but it appears no one at CBC is capable of confirming this.

It also seems that no one can be bothered to go and check what drawings have been submitted to building control - as an aside the current layouts do not comply with building regs - that way it could be established if the developer was always intending to build contrary to the approval or if it is all just a "misunderstanding".

The developer has shown no regard for the planning process or neighbours at any time and is still failing to comply with their construction method statement approved under 17/02298/DISCON, in particular parking of site operative vehicles which should be on site - a considerable number of vehicles are being parked on North Road East causing issues around the roundabout junction with The Reddings.

If CBC allow this application it shows that they are open to manipulation and toothless in terms of defending the spirit of permitted development which is intended as a benefit for occupiers of completed dwellings, not as a way of generating a quick profit for the developers that are building them.

The Hedgerows
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 27th June 2018

I wish to express my strongest objection to this proposal.

This is a blatant premeditated attempt on the applicant's part, using tactics designed to undermine the effectiveness of the planning process, to achieve a development solution that would clearly be a gross over-development of the site with potentially very serious road safety implications.

On viewing the site it is immediately apparent that the three dwellings constructed in place of the original cottage already constitute a significant over-development.

It is particularly important to emphasise the absence of garages or sufficient space to properly accommodate the number of vehicles necessary within the curtilage of the site.

The site fronts a narrow road, serving as a busy thoroughfare, with unrestricted on-street parking, adjacent to a traffic roundabout, a local shop, a post box facility, small business premises and a bus stop in frequent use by schoolchildren, senior citizens and other members of the community.

Granting permission to increase the number of bedrooms and/or other useable space within these dwellings would obviously raise the potential occupancy of each dwelling and inevitably lead to an intensification of activity at the site, due to more visitors, more deliveries, more vehicle movements, more on-street parking etc. This, in turn, would result in a significantly increased risk of accident and injury, which I consider to be unacceptable and reason enough to refuse permission.

In ignoring these genuine safety issues and the heartfelt concerns of local residents, choosing instead to build 4-bedroom houses on a site with permission for 3-bedroom houses only, whilst brazenly advertising 4-bedroom houses for sale, the developer demonstrates a confidence amounting to arrogance and overt contempt for the planning process, those responsible for its administration and the genuine concerns of local residents, who would have to suffer the consequences if this application is approved.

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The subject of this application is not appropriate for this site, for the reasons stated. I strongly object to it and request that it be refused.

Maison Des Femme
North Road East
The Reddings
Cheltenham
Gloucestershire
GL51 6RE

Comments: 18th June 2018

I object wholeheartedly with this application. I too have noticed a week ago that the proposed roof-light alterations to the three properties have already been made in an attempt to hood wink everyone in the planning process with this unpopular development.

The original three three-bedroom property application was bad enough for the environment with the inevitable on-street parking that will occur immediately before a side turning and a mini-roundabout junction. The proposed four-bedroom properties will create a worse parking problem where currently ALL other properties in the road have sufficient OFF road parking. This development is therefore not in character with the existing environment. The planning team should at least enforce removal of the roof-lights which have to date been constructed WITHOUT planning permission.

Consideration should also be given for double yellow lines around the junctions which will be become more dangerous if on-street parking is permitted - in fact around 5-6 developers vehicles are frequently parking at the top of North Road East making the approach to/from the mini roundabout a nuisance. These guys are obviously parking in North Road East because they themselves are only too aware of the issues they will cause by parking just a handful of vehicles on The Reddings.

Shame on CBC for permitting this disgraceful development to start in the first place. The developers are getting the upper hand over you in this area - your motives and ethics are questionable at least.



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

18/01083/CONDIT | Variation of condition 2 on planning permission ref. 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes. | Cotswold View The Reddings Cheltenham Gloucestershire GL51 6RY

The Reddings Residents' Association (TRRA) object.

It seems to us that this application would be better described as a retrospective, full application for three extended 4 bedroom properties, rather than a variation to permit Velux type roof lights.

We have corresponded with the officers on this matter, because we understand that a Section 73 application is intended for minor material amendments, where the scale and nature will result in a development which is not substantially different from the one which has been approved. This application will result in a 33% increase in potential occupancy and therefore gives rise to a 33% under-provision of parking space for each property on this site. In our opinion, this is not insignificant and it does not therefore constitute a minor amendment.

After all of the controversy over this application and the conditions that were carefully considered and imposed by the planning committee; to register this application as a variation amendment to include just 2 roof lights seems to us to be somewhat stretching of the letter and spirit of the planning regulations.

The original application, clearly states 3 houses, with 3 bedrooms each on the application form. That is what was approved. The floor plans submitted for this application clearly show 4 bedrooms. The developer is openly marketing them as 4 bedroomed executive homes, utilising a permitted development loophole that he has "misunderstood".

We understood from discussion with the officers in early 2017 (before the proposal was actually submitted) that in the pre-application consultations a 3 storey proposal was made to Chloe, who rejected it. We would ask that records of the pre-application advice are checked and included in the report to the planning committee please.

We are concerned that dealing with this "oversight" in this way will set a dangerous precedent for developers in the County to mislead the planning officers, neighbours and the planning committee on future applications, and we are mindful that other Council planning departments will enforce against much lesser variations than this one, even enforcing against a private person who built a patio to the incorrect height.

<http://www.dailymail.co.uk/news/article-5803609/Mother-one-hauled-court-new-2500-garden-decking-neighbours-said-high.html>



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Nick Raynsford's (former housing minister) comments & recommendations on the current planning process are also relevant:

<http://www.constructionmanagermagazine.com/news/raynsford-planning-system-historically-low-ebb/>

If this application is permitted, the proposed 4 bedroom properties will each require 2.5 parking spaces. However, only 2 spaces are to be provided for each of the existing 3 bedroom dwellings that have been granted permission and there is no more room to construct any more on this site. As such, it seems to us that if 4 bedroom dwellings had been proposed at the outset, they would have had to have been rejected by the officers and the planning committee as over-development. We therefore respectfully request that it be rejected now.

We are concerned that instead of the developer seeking to resolve this breach of the planning approval, he has instead made application to CBC to vary the approval so that he can build what he wants to build (and continues to build, apparently confident that approval will be granted).

We believe that harm will occur in the local area due to this unacceptable departure from the permissioned scheme in the event that this retrospective permission were to be granted as a variation, because it will then constitute over-development. This question was debated by the planning committee at some length on both of the occasions that it came before them in 2017 in relation to the 3 bedroom proposals.

We note that the only consultee has been Gloucestershire Highways. It occurs to us that if Building Control had been consulted, it would have been clear from the drawings and calculations that the developer submitted to them whether or not he always intended to construct 3 storey, 4 bedroom dwellings. Not least of all, because of the additional foundation loading, fire regulations and protections and the additional staircase. Further, the plan layouts as drawn, will not comply with building regulations because the WC door opens outward onto the top of the stair. We respectfully suggest that Building Control should be consulted on this point before any determination is made.

Since starting work on this site, the developer has shown little regard for the planning process or consideration for neighbours and has consistently failed to comply with his own construction method statement approved under 17/02298/DISCON. This states that site operative vehicles should be parked on site. However, materials, scaffold and site plant occupy the full area of the designated parking area and a considerable number of vehicles are being parked on North Road East. This is causing road safety issues around the roundabout junction with The Reddings. Statutory site health and safety equipment including hard hats and Hi-Vis vests are also routinely not being worn on site.



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Our research does suggest a pattern of behaviour by this particular developer. We set out a short extract of two of his recent applications below:

This application was submitted by the same developer in May 2016 and was permitted:
<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?keyVal=O7F8GOELMH400&activeTab=summary>

Discharge of conditions followed in July 2016 and it is assumed that building work commenced at around the same time.

A little later in July 2016, the developer then submitted a FULL application with, rooms in the roof. The application was permitted (although the developer had previously withdrawn a similar proposal made at the start of the planning process. We do not know why a full application was required on this site, (rather than the variation application which is listed here) but, the same issues with over development, demolition of a smaller existing property and construction of the same semi-detached that he commonly seems to construct have occurred.

Similarly, the pattern of demolish, overdevelop, amend and repeat is exhibited by this same developer on this application:

Permission granted for Le Grand developments to construct 2 bedroom properties
<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?keyVal=LORPMJEL0BC00&activeTab=summary>

But they are then amended to provide an extra bedroom:
<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LSLA83EL07R00>

If the original application on the Cotswold View site had been for four bed houses the implications for neighbour privacy, additional parking, access and traffic disruption and compliance with rules and regulations could have been considered properly by the neighbours and the planning authority. However, the applicant has instead presented it as an amendment, at a point in the construction when the waterproof shell is nearing completion. By continuing with the construction following the intervention of the CBC enforcement officers, the applicant is “taking a calculated risk” because by the time the application is determined, work on the roof will be complete and work to the interior will be well underway. It seems to us that the applicant has now presented a simple polarised choice for everyone to accept what he wants to build, or to reject the non-compliant work and enforce the planning permission and its conditions which the planning committee made such careful determination over.

A large part of the previous planning committee debate centred on road safety. It will be recalled that residents, TRRA and ward councillors confirmed that the layout of the mini roundabout, which is very close to this site already has problems with manoeuvrability of buses and lorries.



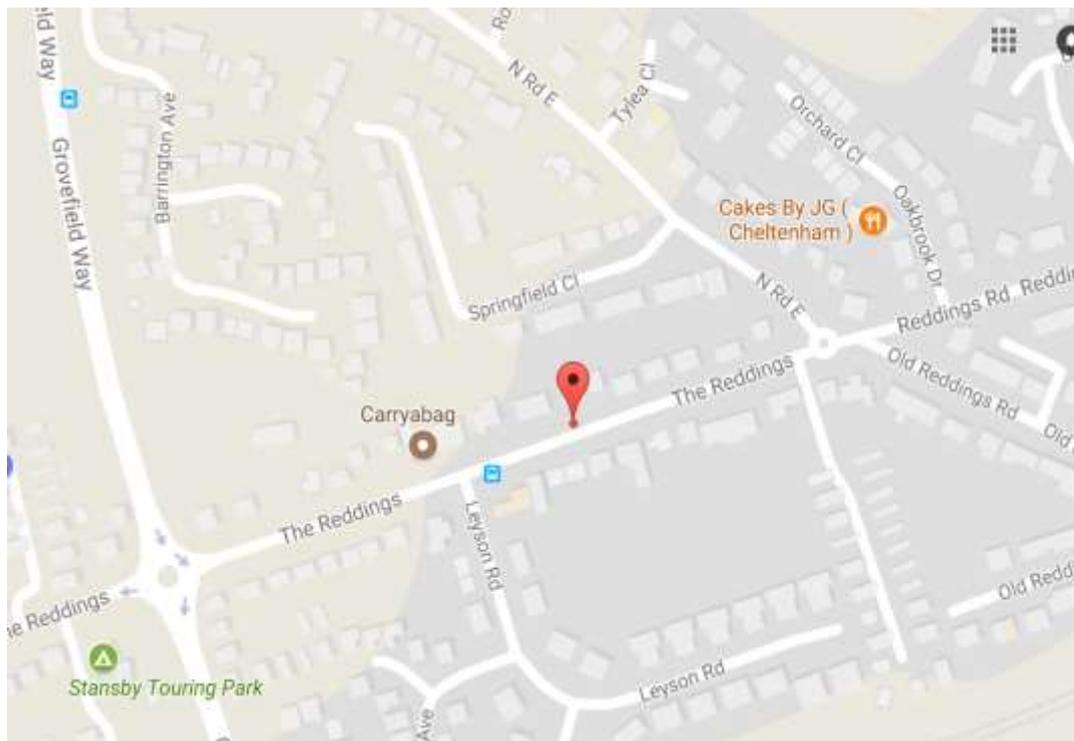
The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

The roundabout itself has recently been damaged by a vehicle. The creation of need for permanent additional on-road parking around Cotswold View (because the developer has not supplied the required number of parking spaces that is required for each of these 3 properties), will not make the roundabout any easier to negotiate and will most likely force traffic out around the vehicles into the line of oncoming traffic. That could result in a collision between vehicles with very high closing speeds – please see below:

When the committee first debated this application, the decision was deferred in order that the developer could undertake a road traffic survey. Residents and TRRA were alarmed at some of the speeds that were being recorded daily during the applicant’s traffic survey.

The traffic was monitored at two locations. The first is shown on the map below:



and is close to Springfield Stores. The follow tables show some of the vehicle speeds recorded, the times and the frequency.



The Reddings Residents Association

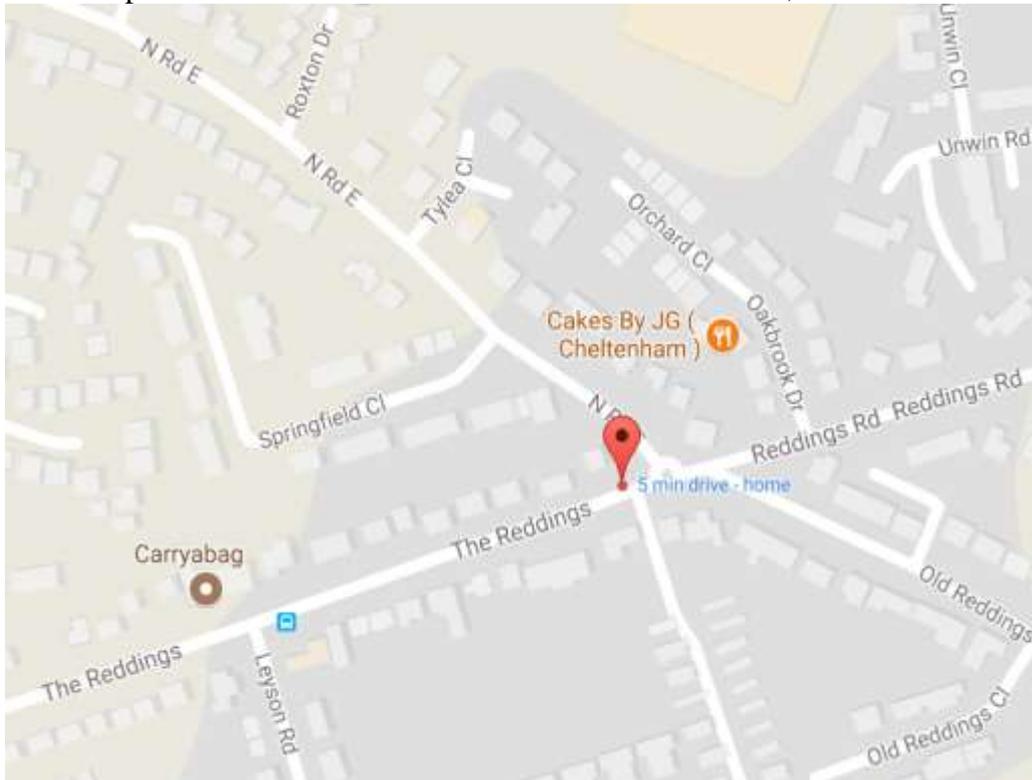
c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Car speeds, numbers & times		OVER 60mph																							
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday									2		1							1							
Tuesday								1										4							
Wednesday								1							1		1			2	1				
Thursday							2	4	1			1							1						
Friday												2					3			5					
Saturday											1										1		1		
Sunday										1		3													

Car speeds, numbers & times		50mph - 55mph																							
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday							1										1	1							
Tuesday																									
Wednesday																	1								
Thursday																									
Friday																					1	1			
Saturday																									
Sunday																								1	

Car speeds, numbers & times		50mph - 55mph																							
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday								1							1					1	1				
Tuesday													1						2						
Wednesday			1																				1	1	
Thursday																	1								
Friday																1							1		
Saturday																									
Sunday									1																

Vehicle speeds were also monitored close to Cotswold View, as shown on the map below:





The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Car speeds, numbers & times OVER 60mph																									
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday							2	4								2		1	1						
Tuesday									4	2	1	1		1					4			1			
Wednesday										1				2			3	2	2						
Thursday									2	1			1					5							
Friday								1	2	3							3	1					1		
Saturday										1					1		3	1	2	1					
Sunday																			1						

Car speeds, numbers & times 55mph - 60mph																									
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday																1									
Tuesday									1							1									
Wednesday								1											1						
Thursday																							1		
Friday																									
Saturday																									
Sunday																									

Car speeds, numbers & times 50mph - 55mph																									
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday																									
Tuesday														1											
Wednesday																	1	2							
Thursday																									
Friday																	1								
Saturday																									
Sunday																									

Whilst analysing the applicants data to identify times and frequencies of speeding vehicles, we noticed an anomaly with the vehicle numbers recorded between the 2 sensors.

TOTAL NO OF VEHICLES at Shop count position	
--	--

	WEEK 1	WEEK 2
Monday	1767	1421
Tuesday	1856	1466
Wednesday	1879	1911
Thursday	1751	1561
Friday	1739	1413
Saturday	1285	1072
Sunday	1108	910



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

TOTAL NO OF VEHICLES at Cotswold View	
--	--

	WEEK 1	WEEK 2	Additional vehicles counted at Cotswold View:
Monday	1752	1941	493
Tuesday	1859	1998	532
Wednesday	1866	2117	206
Thursday	1841	2113	636
Friday	1836	2039	626
Saturday	1266	1404	332
Sunday	1098	1227	317

We have checked the numbers, which reconcile with the applicant's own tallies on the various pages of the survey spreadsheets. The numbers can be independently checked and verified by the officers and the planning committee by downloading the traffic survey documents from the applicant's documents on the CBC website:

<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OS1G06ELI7M00>

During week 1 it is clear that there are approximately the same number of vehicles at each location on each day. The main anomaly has occurred in week 2. When comparing the vehicle numbers at both locations for the same days, the figures in red under the heading "additional vehicles counted" have apparently increased close to Cotswold View. As the maps included above clearly show, there are no turnings off the road between these two monitoring points, save for a few private driveways, yet, the traffic numbers on each day vary between these 2 points by as many as 636 vehicles in a day. The data submitted by the applicant to support his contention that the development of 3 number 3 bedroom dwellings therefore seems to be unreliable.

Clearly, the additional vehicles will slow the calculations of the 85th percentile of the average speeds and the calculation of the visibility splay requirements adjacent to the applicant's site. We raised the anomaly with Gloucestershire Highways planning liaison officer Wendy Gray, who replied:



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

“The speed survey was not requested by the Highway Authority, as the proposed development provided visibility splays in accordance with the GCC “Deemed to Satisfy Visibility Standards, which is based on local evidence from the Gloucestershire County Council (Annual Speed Monitoring Report 1998 to 2006) which indicates that the 85%ile speeds for 30mph highway is 34mph; as visibility splays can be provided in accordance with this guidance and the Variation of Condition will not affect the agreed access which provides adequate visibility splays in accordance with Manual for Gloucestershire Streets, I do not consider that the Highway Authority would require a further speed survey”.

We do not agree Ms Gray’s view because this anomaly means that there are no means available to know what parts of the data is correct and what the actual average traffic speed might be, especially given the applicant’s own evidence of regular excessive speeding next to the property and close to the roundabout. Data from a traffic survey gathered between 1998 and 2006 is now between 14 to 20 years old and is simply not relevant to modern vehicles and the speeds that were actually recorded in the applicants own survey. Almost 25% of all traffic on the road is exceeding the 30mph speed limit by between a few to 30+ miles per hour.

Resident’s previous concern regarding the traffic safety of road users and the eventual occupants of these dwellings is greatly increased by the developer now seeking to add additional bedrooms without also providing the necessary 2.5 parking spaces per dwelling on the site (which effectively means 3 parking spaces per property for this site). That would alter the street scene still further and no submission is made by the applicant in that connection. If the occupants vehicles park on the road, because there is no room on the property (which is foreseeable), the visibility splays will be badly compromised and the previous concerns of the planning committee in respect of road safety for the proposed series of 4 bedroom properties do need to be raised again please. At the very least, the road survey should be repeated and independently verified before permission is granted.

It has been said by the officers that the ultimate owners of these properties may wish to pursue their rights under permitted development. To that end, although the developer does not provide dimensioned drawings, using the CBC website measuring tool, we calculate a floor area of 33m² for the detached dwelling attic development and 31m² for each of the semi-detached dwellings. Permitted development is applicable only to attic extensions of less than 50m³. Assuming an average room height of 2m for the living space created in the attic, that would exceed the 50m³ limit by over 30%. As the applicant provides no cross-sections by which the volume created can be calculated, we respectfully suggest that he supplies a dimensioned drawing. By our calculation to comply with the 50m³ limit, the average height of the room would need to be 1.515m or just under 5 foot high for permitted development considerations to be applicable to any future householder application.



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Notwithstanding, the future actions of a purchaser under permitted development rights (bearing in mind that these rights may be varied by government, or the borough council, in the future) , are completely speculative and totally remote from the actual considerations of this application which we suggest are:

1. Should this matter be determined by a variation application?
2. Should this application be determined by a full submission?
3. Would 3 number, 4 bedroom properties on this site, which is close to a road traffic roundabout (where excessive speeds are regularly and repeatedly being recorded) have been granted permission, bearing in mind that the parking provision does not comply with local plan second review table 16. Neither does it comply with paragraph 39 of the NPPF when consideration is given to the accessibility of the development, the type, use and nature of development, the availability of, and opportunity for sustainable transport, local car ownership levels and the need to reduce the use of high emission vehicles. Consideration should be given to the DCLG Residential Car Parking Research Document.
4. Whatever the actions of any future owner of the dwelling may be, is it right that LeGrand Developments receive financial reward for being able to sell 4 bedroom “executive” homes when the planning committee and officers only granted permission to build 3 bedroomed dwellings?

This amendment should be refused and the original 3 Bed approved application should be enforced.

Thank you for your consideration of our views,

The Reddings Residents’ Association.

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8 Kempsford Acre
Woodmancote
Cheltenham
GL52 9QR

www.legranddevelopments.com

Our Ref: 17-230

Date: 12.07.18

Dear Councillors & persons concerned

Re: 18/01083/CONDIT - Cotswold View, The Reddings, Cheltenham. GL51 6RY

I am writing in response to the objections raised against our current application (ref: 18/01083/CONDIT) some of which we feel are irrelevant, inaccurate and in some cases grossly defamatory. We are currently seeking advice on the latter.

With regard to the relevant points raised I would like to confirm the following;

- During the early stages of procuring the construction phase it transpired that the attic/roof space of all three dwellings would be suitable to accommodate an additional habitable room. We were advised by a senior member of the Cheltenham Borough Council planning team that in order to regularize the amendment to the scheme we should submit an application for the variation of condition 2 on planning permission ref: 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes. We followed the advice, the result of which is the current application (18/01083/CONDIT).
- We have been advised by the Planning department that the proposed variation would be granted to any future owner/s under permitted development rights.
- Gloucestershire Highways and Cheltenham Planning department have advised that the original provision of 2 parking spaces per dwelling is in line with their expectations and guidance for a 4 bedroom dwelling in this location.

Please note: The roof lights have already been installed due to the project currently running 5 weeks ahead of schedule which has come as a result of the unprecedented run of good weather of late and hard work on the part of our main contractor. We are certainly not in the business or habit of breaking planning protocol.

Please don't hesitate to contact us if you have any queries or require any further information. We look forward to hearing from you soon.

Yours Sincerely

Mark Le Grand
Director



Le Grand Developments Limited.
Company Number: 7999503

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APPLICATION NO: 18/01083/CONDIT	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 1st June 2018	DATE OF EXPIRY : 27th July 2018
WARD: Benhall/The Reddings	PARISH:
APPLICANT:	Mr M Le Grand
LOCATION:	Cotswold View The Reddings, Cheltenham
PROPOSAL:	Variation of condition 2 on planning permission ref. 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes.

ADDITIONAL REPRESENTATION

The Reddings Residents Association

Comments: 16th July 2018
Letter attached.



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Dear Councillors and persons concerned

18/01083/condit – Cotswold View, The Reddings, Cheltenham, GL51 6RY

We write in response to the applicant's letter dated 12 July 2018. On the same date, the Residents' Association received an email from LeGrand Developments suggesting a meeting (copy attached, with our reply, at appendix A). We find the tone of the email and the tone of the letter to be somewhat at odds with each other.

With regard to the relevant points raised by Mr LeGrand, we respond as follows:

- The roof has been constructed with bespoke structural trusses to create a clear space in the centre of the attic to be used for habitable purposes. This would impose different loading conditions on the building and would need to be accounted for at the outset of the design in the selection of the materials and the foundation loading. The creation of three storeys of habitable space would have required some adjustments to the approved ground and floor plans submitted for planning approval, and creates a need for fire compartmentation to provide safe fire escape route from the third floor. The applicant says the opportunity arose "during the early stages of procuring the construction phase". He is correct, the intention to make the space habitable is likely to have been known at the stage where Building Regulation application was made and before the foundation excavation commenced. **It is probable that the intention from the outset of detail design was always for the attic to contain a fourth Ensuite master bedroom and that the building was purposely designed accordingly. This could be checked by asking Building Control to comment as a consultee.**



Photograph of site with work just commencing to build the first floor walls. Advertising sign can be seen on fence to right of the pile of blocks. Note - no room available for onsite parking, contrary to construction plan.





The Reddings Residents Association

c/o Fayrecoft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

- This application is not just for Velux windows, it is for the creation of a bedroom extension in the attic space. The applicant says he was “advised” to “regularise” (make retrospective application) whilst the erection of the specialist roof structure was in progress. However, this was some time after he had fixed an advertising sign to the site fencing advising of the intention to construct 3(no) four bed roomed executive houses, instead of the 3(no) three bed roomed dwellings for which permission had been granted by the planning committee. This application was only submitted following a complaint and the subsequent intervention of the Enforcement Officer and Ward Councillor. We note that the “for sale” sign has now been removed from site, but 4 bed roomed properties are still being advertised as such on the applicant’s website.
- Under current planning regulations, an owner of a property can exercise certain rights under permitted development. This includes the creation of a habitable room in the attic, providing that the gross volume does not exceed a volume of 50m³. The applicant’s drawings are not dimensioned and do not provide a cross-section in order to be able to calculate the area/volume. We have asked that he does so. However, using the plans submitted and the measurement tools provided on the planning website, the floor area on the detached property is approximately 33m² and that on the semi-detached properties is 31m². For a future owner to have permitted development rights and stay below a volume of 50m³, then, the average ceiling height would need to be less than 1.5m, or just under 5ft, in order to be less than the necessary 50m³ volume.
- It seems unlikely that any new purchaser of a 3 bed roomed houses would immediately undertake an attic extension as “permitted development”. There would be considerable cost and disruption. It is at least likely they would sell and move to a new 4 bedroom house. Further, it is uncertain how long permitted development rights such as these may prevail. We therefore consider that the actions of a future purchaser are completely speculative and totally removed from the relevant considerations of this retrospective application.
- At the planning committee meeting on 19 July 2018, (the same meeting where this application will be considered) councillors will be asked to consider another application for two 4 bed roomed houses in The Reddings, only a short distance away from this development. In that application, the developer considers that four parking spaces per property are appropriate and the officers have not contested it. Highways preferred design manual for parking is the DCLG document. This requires 2 parking spaces and a garage for a 4 bedroom house.
- It is agreed that the roof lights have been installed. It is also noted that the roof covering has now been completed. Work to the interior of the property is now well in hand. The applicant’s note stating that the project is running 5 weeks ahead of schedule is not understood. If this application had been made earlier in the construction process, proper consideration could have been given and a bipolar choice between accepting what the applicant has built and enforcing the current permission would have been avoided. Similarly, if the project was ahead of schedule, work to the roof could have been suspended pending the proper determination of the planning committee on the retrospective application. If this application is permitted the developer will gain significant pecuniary advantage from these roof extensions.
- The developer has not previously sought to engage in consultation either with the Residents’ Association, the residents, or with the Ward Councillors prior to this complaint. The motives behind the offer to meet now are not fully understood in the light of the developer’s letter to the Councillors, but we are always ready to engage in constructive dialogue in respect of any developments that will complement the area by adding both amenity and prosperity to The Reddings. This is evidenced in our support for the construction of B1 offices in The Reddings area (adjacent to Asda) where we anticipate that it will be decided under delegated authority or placed before the planning committee in the very near future.



The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

- Within our objection submission, we cite examples of two other developments undertaken by Le Grand Developments where similar retrospective applications have been made. Our objection also details anomalies with the road traffic surveys. At the heart of our concern is the safety of the buyers of these houses, other residents and road users, were this variation to be permitted and a deficit in parking results.

We hope we have demonstrated sufficiently that this application is not simply about the addition of roof lights, but in fact highlights the wider issue of a planning process that feels weighted in favour of the developer and always to the detriment of the community. This is contrary to the aims of the NPPF.

We thank you for your attention and look forward to the debate and learning your reasoned decisions at the hearing on Thursday 19 July 2018 when the Residents' Association will be speaking in opposition.

Yours Sincerely

The Committee
The Reddings Residents' Association

Appendix A

Email received from Mr Le Grand (received 10:15pm 12/7/18)

Dear Members of the Reddings Residents Association and persons concerned,

Thank you for your comments and continued interest in our development at Cotswold View, The Reddings. We acknowledge that you have had and continue to have concerns regarding the development and its effects on the locality and we would welcome the opportunity to meet with representatives and members of your Association, the Ward Councillors and any other interested third parties. We would be delighted to attend your next Committee meeting. If you are able to accommodate us please confirm date, time and place. Alternatively I'm sure we can come to a mutually convenient arrangement. We look forward to hearing from you very soon and meeting in due course.

Kind regards

Mark Le Grand
Property Development & Planning Consultant

The Reddings Residents' Association email response to Mr Le Grand's email above (Sent 15 July 2018)

Dear Mr Le Grand

Thank you for your email.

We always welcome constructive dialogue regarding applications & would be pleased to meet with you and discuss any matters that are relevant. Committee members and councillors have been consulted over the past 3 days.

Unfortunately, your email arrived late on Thursday night (10-15 PM, 12/7/18) at a time when the committee are busy preparing speeches for this Thursday's planning committee meeting regarding this application and another in the area.

We have also noted your letter to the councillors of the same date, which does have a different tone to that which you use in this email. In the interest of balance, we have prepared a response, which has taken more of our available time.

Regrettably, our next committee meeting already has a very full agenda, some members will be on leave and we anticipate that another local application will come before the planning committee in August; it would not therefore be possible for us to meet at that meeting. Consequently, the next available committee meeting will be in October 2018.

If there are matters that you wish to discuss urgently, a special meeting of the 12 strong committee & the 2 councillors would need to be convened and that would take some time to organise with the summer holiday season now being upon us. If you believe that a special meeting would have positive outcomes for all, please would you forward a detailed written agenda & we will consult again?

Many thanks & kind regards

The Committee of The Reddings Residents' Association

APPLICATION NO: 18/00704/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 11th April 2018		DATE OF EXPIRY: 6th June 2018	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	Arlo Homes Ltd		
AGENT:	Evans Jones Ltd		
LOCATION:	Blenheim Villa, The Reddings, Cheltenham		
PROPOSAL:	The erection of two dwellings, and formation of new vehicular access.		

RECOMMENDATION: Permit subject to a 106 Obligation



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 part of the rear garden to Blenheim Villa, which is located at the junction of Grovefield Way and the Reddings. The application site is rectangular in shape and has an approximate area of 0.136ha.
- 1.2 Planning permission is sought for the erection of 2no. detached four bedroom dwellings each with a double garage and parking for 4no. vehicles.
- 1.3 The application has been called to committee by Councillor Nigel Britter and an objection has been received from the residents association.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m

Relevant Planning History:

01/01244/OUT 26th April 2002 REF

Land To Rear And Side Of Hollyacre - Erection of 5 additional dwellings at Blenheim Villa and land to rear of Hollyacre

02/00558/OUT 23rd May 2002 REF

Residential development (outline) comprising 2 additional dwellings to the rear of existing dwelling (Blenheim Villa)

82/01010/PF 21st July 1982 PER

Alterations and extension to existing dwelling house to provide an enlarged living accommodation on 1st floor. Raise the level of the roof

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 2 Private green space

GE 5 Protection and replacement of trees

GE 6 Trees and development

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD10 Residential Development

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Architects Panel

11th May 2018

Design Concept

The panel had no objection to the principle of this development.

Design Detail

The design was generally liked and considered of suitable scale and character for this location.

Recommendation

Support

Trees Officer

14th May 2018

The Tree Section in principal does not object to this application following clarification of certain details. Please could the following information be submitted and agreed before determination:

- Tree retention and removals plan,
- Tree protection plan for retained trees,
- Landscaping plan detailing proposals for replacement planting to mitigate for trees proposed to be removed.

12th June 2018

The Tree Section appreciates the additional information submitted and has no further objections to this application.

GCC Highways Planning Liaison Officer

17th May 2018

Grovefield Way is a Class 3 highway that is used as a local distributor road for the South West of Cheltenham, linking the A46 and A40. There are a few access junctions serving large developments and a few private accesses serving small residential developments. Grovefield Way is part of a sensitive Highway Network and subject to congestion at peak times. The carriageway is 2 way working with a posted speed limit of 30mph, the area has street lighting and a footway on the side of the proposed development.

I have noted the comments on the LPA web-site.

The site has pre-application advice from Highways Development Management, and the issues raised have been addressed.

The proposed dwellings would generate 10 two way vehicle trips with 2 of these likely to be in the am peak.

The proposed access's can provide visibility splays commensurate with the recorded 85th percentile speeds on the highway. The site can provide turning to prevent vehicles entering the highway in a reverse gear. The proposed access as shown on drawing no. 001 is substandard in width, however it would not be unreasonable for a condition to ensure the access is constructed in accordance with the design guidance in MfGS Figure 8.4.

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I refer to the above planning application received on 17th April 2018 with Plan(s) Nos: 001.I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

Condition 1

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 120m to the right and 83m to the left (the Y points) as shown on drawing no. 001. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

Condition 2

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level.

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

Condition 3

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level for 20m in both directions.

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

Condition 4

Notwithstanding the submitted plans prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with Figure 8.4 of Manual for Gloucestershire Streets, with the area of driveway within at least 10.0m of the carriageway edge of the public road surfaced in bound material], and shall be maintained thereafter.

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

Condition 5

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 [drawing no. 001, and those facilities shall be maintained available for those purposes thereafter.

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

Condition 6

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

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

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

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	17
Total comments received	26
Number of objections	24
Number of supporting	2
General comment	0

5.1 The application was publicised by way of letters to 17 neighbouring properties. 24 objections and an objection from the residents association have been received which relate to the following matters:

- Proposal will result in highway danger
- Loss of hedge and impact on habitats
- No provision for waste collection
- Site not identified in JCS
- Loss of amenity to neighbours

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues in determining this application are considered to be (i) principle of development, (ii) design and layout, (iii) impact on neighbouring property, (iv) Trees and landscaping, (v) access and highways issues.

6.3 The site and its context

6.4 The application site is within the Principal Urban Area (PUA) of Cheltenham and is currently part of the rear garden to Blenheim Villa. Therefore the principle of development in this location is acceptable.

6.5 Paragraph 14 of the NPPF (2012) 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.

6.6 Adopted JCS policy SD10 advises that in Cheltenham, outside of allocated sites and previously developed land in the existing built-up area, housing development will only be permitted where it is infilling within the PUA.

6.7 In this instance, the site is 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 2no. dwellings are unacceptable, subject to other material considerations set out below.

6.8 Design and layout

6.9 Para 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Para 60 states that decisions should not attempt to impose architectural styles or particular tastes, it is however proper to seek to promote or reinforce local distinctiveness.

6.10 The adopted Joint Core Strategy (JCS) for Gloucester, Cheltenham and Tewkesbury highlights in Policy SD4 how high quality and well thought out design is a key element in producing sustainable places. This is reflected with the current Local Plan, where policy CP7 requires development to complement and respect neighbouring development.

6.11 The Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document states that proposals for development on garden land should be based upon a thorough understanding of the character of the neighbourhood, and in particular the street and block within which the site is located.

6.12 Both dwellings are 2 storeys, set back within the site with parking, a double garage and vehicle turning. Plot 1 has a frontage that directly faces Grovefield Way and Plot 2 sits perpendicular to Grovefield Way.

6.13 The Reddings and Barrington Avenue is primarily made up of detached and semi-detached houses of two storeys in height. There is a mixture of brick and render in the locality. As such the general form of development is in keeping with the surrounding development. The footprints of the proposed dwellings are similar to those of surrounding properties. There is a good level of spacing between the buildings and boundaries of the site which is also very similar to those of surrounding dwellings.

6.14 The eaves and ridge heights of the proposed dwellings are similar to the adjoining properties. The design of both dwellings takes the lead from the surrounding development and therefore ensuring the scheme sits comfortably within the street scene.

6.15 For these reasons it is considered that the proposal takes on board the advice of the SPD and shows an appreciation of the character and layout of the neighbourhood. The

proposed layout and design are therefore considered to be acceptable. This conclusion is endorsed by the Architects Panel.

6.16 Impact on neighbouring property

6.17 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”.

6.18 The rear of plot 1 is approximately 10m from its rear boundary. There are no first floor windows in the north side elevation and there would be 16.3m between the two storey side elevation and 22 Barrington Avenue.

6.19 Plot 2 has a first floor en-suite window in the side elevation facing Hollyacre. To prevent overlooking, it is considered appropriate to attach a condition which requires this window to be obscure glazed.

6.20 Both dwellings sit sufficiently far away within the plot to not give rise to any issues of overlooking, loss of privacy and loss of daylight. Although the dwellings will be visible from neighbouring properties both will not result in unacceptable overbearing or oppressive impact.

6.21 Objections have been received raising concerns that the loss of the hedge will destroy an acoustic barrier increasing noise to neighbouring properties. A small part of the hedge will be removed to accommodate the vehicle access, and given the size of the new dwellings any increase in noise should be mitigated by the new dwellings.

6.22 The proposal is considered to have an acceptable impact upon the neighbouring properties and is in line with advice contained within the SPD and Local Plan policy CP4.

6.23 Access and highway issues

6.24 The application proposes the formation of an access point from Grovesfield Way with a vehicle turning area and private parking for 4 spaces per property.

6.25 A transport technical note has been submitted detailing how the required visibility splays for the new access have been calculated.

6.26 Part of the existing highway hedge along Grovesfield Way will require cutting back to form the visibility sight lines to provide the required visibility splays for the cycleway, namely the provision of a 2.4m x 20m visibility splay to either side of the centre of the access to the inner edge of the public footpath/cycleway.

6.27 The required vehicular visibility to Grovesfield Way, namely 2.4m x 120m (north) and 2.4m x 83m (south) is achievable without any work to the hedge set within the highway verge. The vehicular visibility sight lines are thus not impeded by the existing hedge, the visibility sight lines cross over the pavement/cycleway and grass verge.

6.28 Concerns have been raised about how the hedgerow will be cut back and carefully pruned given that the hedgerow is not within the ownership of the applicant or future occupiers. The agent has confirmed that this can be achieved by the applicant and or future occupiers securing a Section 142 Notice of the 1980 Highway Act from the County Council. The highway authority for a highway may by a licence granted under a section 142 notice permit the occupier or the owner of any premises adjoining the highway to plant and maintain, or to retain and maintain, trees, shrubs, plants or grass in such part of

the highway as may be specified in the licence. The 142 Notice will allow the applicant and any future landowner to cut back the existing hedge to accommodate the required visibility.

- 6.29** Officers have expressed concern that future occupiers would not necessarily be made aware of a planning condition requiring the long-term maintenance of the visibility splays. The applicant has therefore agreed the requirement to maintain the cycle visibility can be engrossed within a unilateral undertaking. This would register as a land charge and thus would clearly be brought to the attention of all future property owners.
- 6.30** The Highways Officer has verbally confirmed that the wrong speed limit was recorded in the highway response, however as a speed survey was submitted the visibility splay requirements are in accordance with the 85th percentile speeds of the vehicles on the highway.
- 6.31** A number of concerns have been raised on highway safety grounds and the Highways Officer has had sight of these. It is appreciated that there are concerns about highway safety along Grovefield Way, however this proposal has been designed to provide adequate parking for each dwelling and has demonstrated that visibility splays can be achieved.
- 6.32** As such the proposal complies with Policy INF1 of the adopted Joint Core Strategy and there are no sound highway reasons to withhold consent.

6.33 Trees

- 6.34** There are a number of trees within the site that will be removed as part of the proposal. The existing hedgerow around the boundaries and one tree to the rear of the site will be retained. To mitigate the impact of the loss of these trees, 11 new trees are proposed in the Tree Replacement plan.
- 6.35** The Trees officer has no objection to the proposal. Subject to a condition requiring the provision of suitable landscaping in line with the tree replacement plan, the tree and landscaping implications are considered to have been adequately addressed.

6.36 Ecological impact

- 6.37** A preliminary ecological appraisal has been submitted as part of this application. The site was surveyed by an ecological consultant on 19 February 2018. The appraisal recommended a detailed Ecological Mitigation and Enhancement Strategy after the proposal has been confirmed. The strategy will ensure that the future development of the site retains existing features and habitats of ecological value (e.g hedgerows) and minimises the impact upon protected species (e.g nesting birds).
- 6.38** This strategy can be conditioned and subject to this the ecological impact is considered to have been adequately addressed.

6.39 CONCLUSION AND RECOMMENDATION

- 6.40** As discussed above the principle of the development is supported and the proposed development has clearly been designed to address all of the relevant design, amenity and highways criteria which are applicable.
- 6.41** The concerns of the residents have been duly noted however based on a thorough analysis of the site, its surroundings and the proposals it is apparent that there are no sound planning reasons to withhold planning permission in this instance.

6.42 As such it is recommended that planning permission be granted subject to a 106 Obligation to secure a mechanism for the retention of adequate cycle visibility spays.

7. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

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

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

- 4 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing 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 prior to first 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 which shall be first agreed 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 (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the side first floor en-suite window of plot 2 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

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

- 6 No works shall commence on site unless a detailed Ecological Mitigation and Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the approved details.

Reason: To safeguard ecological species, having regard to Policy SD9 of the adopted Joint Core Strategy 2017.

- 7 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 120m to the right and 83m to the left (the Y points) as shown on drawing no. 001. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

- 8 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 4.5m back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level for 20m in both directions.

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

- 9 Notwithstanding the submitted plans prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with Figure 8.3 of Manual for Gloucestershire Streets, with the area of driveway within at least 10.0m of the carriageway edge of the public road surfaced in bound material], and shall be maintained thereafter.

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

- 10 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 001 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.

- 11 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.

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.

- 2 This planning permission is subject to a S106 legal agreement which requires a secure mechanism for the retention of adequate cycle visibility spays
- 3 The applicant is reminded of the need to also obtain approval for the vehicle crossing from Amey Gloucestershire before any works commence; you can contact them on 08000 514 514 or alternatively email: GCCHighways@Amey.co.uk.

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: 18/00704/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 11th April 2018		DATE OF EXPIRY : 6th June 2018	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	Arlo Homes Ltd		
LOCATION:	Blenheim Villa, The Reddings, Cheltenham		
PROPOSAL:	The erection of two dwellings, and formation of new vehicular access.		

REPRESENTATIONS

Number of contributors	26
Number of objections	24
Number of representations	0
Number of supporting	2

Fernleigh
 The Reddings
 Cheltenham
 Gloucestershire
 GL51 6RY

Comments: 7th May 2018

As the destruction of Cotswold View and the resulting monstrosities which are being built in it's place aptly demonstrate, garden grab infills in The Reddings are a bad idea in principle and execution. If you couple that with the excessive over-development the area has suffered in recent years and the continued onslaught by developers we are experiencing, the negative impact of this proposal is clear.

That aside, these are my objections;

- 1) Removal of the hedgerow. The impact on wildlife is obvious.
- 2) Grovefield Way is a link road. This type of application, with access points off the carriageway, was established as undesirable when it was built. Previous applications have been rejected on these grounds, and nothing has changed in this application.
- 3) Grovefield Way is now over-used. The chaos of delivery lorries, refuse collections, visitor parking, site traffic during construction and so on, will all add to the mayhem of this road. We will end up with something next to BMW, even if it isn't the Aldi/Costa madness and this will just compound the problems.
- 4) Safety. It's next to a roundabout. On a busy road. It's a stupid idea.
- 5) Visibility splays. As the CC won't be interested in maintaining the hedges so sight-lines can be guaranteed, the whole thing becomes untenable.
- 6) Precedent. Each of these inappropriate developments that get through, add weight to developers trying to make the case for carving up more of our community and destroying more of the Green Belt. The fact that they cite Cotswold View to make the argument here proves this. In time, the folly of that application will be proven and, as with BMW before that, Councillors who voted for it will be quoted again saying 'I hadn't realised it would look that bad. Had I known, I would have voted against it.' I suspect the same will be true here, if it gets approved.
- 7) New homes quotas can be met elsewhere in the JCS.

So there you have it. Seven good reasons for rejecting this (there are probably more). The only reason for passing it - developer greed.

I object.

22 Long Mynd Avenue
Up Hatherley
Cheltenham
Gloucestershire
GL51 3QN

Comments: 8th May 2018

I often with my wife use this cycle/footpath along with many other people from the surrounding area where the proposed access to the busy main road is going to be. What is the point of creating safe areas for people to use, if the result is having to be aware of vehicles accessing across path all the time.

Salalah
The Reddings
Cheltenham
Gloucestershire
GL51 6RT

Comments: 1st May 2018

The planned access for these new dwellings is extremely silly and downright dangerous
We do not need these additional dwellings so they are completely unnecessary
They will be an eyesore on the lovely setting of this part of The Reddings

Iona
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 9th May 2018

I wish to object to this application on the following grounds:

- 1) When Grovefield Way was built the decision was made that no private dwellings would exit on to the road.
- 2) The plans show that there are parking spaces for 2 vehicles at each of the 2 dwellings but the application quotes 8 spaces. if there were 8 vehicles parked there would be no room to manoeuvre and cars would be forced to reverse onto the road.
- 3) Vehicles exiting this development would cross the cycle path and foot path and would cause obstruction whilst waiting to join the road. Also, the exit does not have a clear view to the left and traffic coming off the roundabout.
- 4) There is no provision for vehicles to wait whilst turning right across the carriage way to gain access from the South, this could cause a hazard to traffic exiting the roundabout.
- 5) There is no space for a refuse collection vehicles within the development which would mean they would be forced to park on Grovefield Way whilst collecting the refuse from the properties.

Flowerdale House
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 4th May 2018

Whilst I can see the sense in the infilling of this garden scheme which will have enormous economic benefit to the landowner I have reservations on 3 counts which leads me to object:

1. This development is directly opposite Green Belt land which has been subject to speculative applications by a large local company and a housing development company, plus, I suspect, the owner of Chesnut Farm is watching this application closely. Close control needs to be maintained in this area to prevent inappropriate development and maintain the Green Belt barrier between Cheltenham, Churchdown and Gloucester.

2. The required removal of the hedgerow to allow the suggested access will have an impact on local wildlife which has already been significantly impacted by another local but major development (BMW). The street scene along Grovefield Way would be significantly impacted by a break in a continuous hedgerow from the nearby roundabout to the B&Q development save for a small gap to allow pedestrian access to North Road West.

3. Grovefield Way is a designated Distributor route which is severely congested at peak times, carries cars at 40mph (and often significantly higher speeds) and is on a quite significant curve. What is more the access is across a well used cycle track which helps the sustainable transport policy of the local authority which has been quoted in support for local employers GCHQ, B&Q, Asda and BMW. Another break in this cycle path is dangerous for cyclists and may well encourage cyclists to use the main carriageway as they will have one less break in the cycle path to cope with.

Whilst previous applications on this site have been rejected with access off The Reddings down the side of Blenheim Villa I think access here would be significantly better than that which is now proposed for the above reasons.

I therefore object to this planning application in this format

4 The Grange
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 9th May 2018

1. I'm surprised that Cheltenham Borough Council have elected not to require display of planning notices for this application. The Emerging Local Plan has specific guidelines to moderate and control garden grabbing which this is.

2. The application will need to destroy the existing hedgerow which shields property behind from the road noise, and possible BMW noise from the new site.

3. Vehicles accessing the site will have to cross both the pavement and cycle path, blocking the cycle path. And safety of users cyclists and pedestrians will be jeopardised by this.

4. stormwater will be disposed of to a soakaway, but the geology of the area is a heavy, impermeable clay where a very high number of trees and hedges are being proposed for removal. Significant ground heave problems will occur as the clays rehydrate at differing rates.

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The design is therefore thought inappropriate and not capable of acceptance. In respect of surface water treatment.

5 The applicant at 13b of the application says that no important habitats, trees or hedges are to be removed. This is entirely untrue. This can be seen by the number of deaths of hedgehogs along the Grovefield Way in the past 2 weeks. All of which have been registered on the <https://www.hedgehogstreet.org> website.

6 I agree and support all of the objections also put in the comments by the Reddings Residents Association submission.

7. Entry of vehicles out of the site and across the cycleway would not be expected. Pushchairs would be a risk from emerging vehicles.

8 There are no precedents to break the hedge in the visual street scene to provide access for two properties.

9. The landscaping sensitivity is high. Development will "cause harm to the architectural integrity, townscape and environmental quality of the area by eroding open space around the existing buildings" contrary to the JCS criteria set out in SD4B and SD4C.

10. No consultations have been made with regard to biodiversity and geodiversity. However, neighbours identify bats, sparrows and buntings as protected species. The site is clearly in use by hedgehogs.

11. The project does not enhance ecology, landscape or biodiversity in any sense; it simply provides a significantly reduced environment to that which presently exists. Proper consultation and surveys are required. The application proposes felling large areas of hedge and subsequent trimming and maintenance of a hedge that is not under the ownership or control of the applicant, for the benefit of the two private dwellings and the pecuniary gain of the applicant. Such maintenance would be at public expense if the project is allowed, and is not acceptable.

12. The applicant assesses the hedgerows as being in accordance with the DEFRA 2007 criteria to be listed as "habitat of principle importance for the purpose of conserving biodiversity in England" section 41 of the NERC Act 2006. A much greater portion of the hedge than the applicant shows will need to be removed in order to comply with the requirement for an estate car and refuse vehicle to cross.

13. The applicant does not show the views from Grovefield Way of the continuous hedge and the significant biodiversity that it affords as an intact hedgerow in his submission. It is also noted that applicant's hedges H2 and H3 are also listed as intact hedgerows which are species-rich and also compliant with the DEFRA 2007 "criteria to be habitat of principle importance".

14. Preservation of trees should be most important issue since the destruction of the environment on the BMW site. They should not to allow them to be felled simply for relatively low value development purposes.

15 The granting of such an approval will encourage, and reward, such thinking and set further precedents for inappropriate development in The Reddings area.

16. For all of the reasons listed above, the application must be refused.

Ragged Stone
Old Reddings Road
Cheltenham
Gloucestershire
GL51 6RZ

Comments: 2nd May 2018

I'd like to offer my support for this application for a high quality scheme. The proposal has clearly been well thought through with advice sought by consultants, which is not always the case.

Cheltenham is a desirable place to live and two bespoke, architect designed homes offer far more character than the typical edge of town developments which are a repeat of two or three designs.

These two will be snapped up as soon as they hit the market. As a Reddings resident I can attest to the need for decent sized family housing, particularly where the existing infrastructure can cope with the development.

I cannot see an issue with access as Grovfield Way offers extended views in both directions and the driveway is well set back. Both North Road West and the BMW development access this road without issue. The mature hedgerow appears to be mostly retained on the plans and would provide a good level of privacy.

Lastly, the development ties nicely into the existing roofline between the neighbouring properties.

2 Barrington Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6TY

Comments: 8th June 2018

Object

Carobs
The Reddings
Cheltenham
GL51 6RL

Comments: 9th May 2018

Repetition occurs frequently when objections are raised to Planning Applications. To avoid this situation we endorse all the comments submitted by The Reddings Residents' Association on Tuesday 08 May 2018' and support the view that the application be refused.

22 Barrington Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6TY

Comments: 18th April 2018

So I'm assuming this will be refused as it was previously in 2002 as nothing has altered apart from the more recent info on garden grabbing: <https://www.gov.uk/government/news/new-powers-to-prevent-unwanted-garden-grabbing>.

Apart from the destruction of the fantastic habitat for small birds and animals, the access to the incredibly busy main road, across a bicycle lane and very near to the roundabout would be an accident waiting to happen.

24 Barrington Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6TY

Comments: 7th May 2018

I strongly object to this application for two dwellings to be build on the garden within Blenheim Villa, The Reddings, Cheltenham for the following reasons:

1 - Approval of new housing under the JCS

There are already enough houses that have now been approved by CBC within the Joint Core strategy until 2031 to meet current and future requirements for Cheltenham. In the short term the very large developments currently underway in Leckhampton and Bentham to name a few both of which are within 3 miles from this proposed development provide opportunity to purchase houses in the area. As at 06/05/18 there are currently 20 4 bedroom detached houses within a 1 mile radius of the applicants address for sale of which 6 of these have been reduced in price providing plenty of opportunity for people to move into the area in already establishes homes.

2-Comprised Highway Safety

The location of the proposed access to this development couldn't be in a more dangerous position. Grovefield Way is part of a sensitive Highway Network and is a local distributor road and subject to congestion at peak times. The proposed access to the development is on a substantial curve and within the hardest braking zone of the approach to the Redding's roundabout and the fastest acceleration zone in the opposite direction. At rush hour AM and PM this would be an incredibly difficult exit to join the busy road. Any of the proposed vehicles trying to gain access to the site or leave the site would be significantly blocking the cycle/pedestrian path upon leaving the site and the road upon entering.

There is no provision for visitors parking or delivery vehicles, if vehicles/vans drive onto the site and into the central point allocated as the turning area especially when all of the 4 allocated parking spaces are utilised there would be no option but for them to reverse out of the site onto Grovefield way or the cycle path and pavement in an attempt to re-join Grovefield way. This is incredibly dangerous for pedestrians, cyclists and other vehicle users of Grovefield Way and goes against the Highways Agencies recommendations for safe access to and from the site.

3 - Loss of wildlife

There would be a substantial detriment to long established wildlife should the suggested access point be approved. There are squirrels and I believe possibly bats present (evidence to follow) in the area around Tree T11 (Arboricultural Survey) and T4 (Ecological Appraisal) and a large area of hedgerow would be removed solely for the purpose of allowing access to the site. The Preliminary Ecological appraisal report provided by Focus Ecology - dated Feb 18 provided as part of the developers documents notes that:

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Hedgerows: Hedgerow 1 and Hedgerow 2 meet the criteria to be defined as 'species rich' as they both contain five or more native woody species (Defra, 2007). All of the hedgerows on site meet the environmental criteria (BRIG (ed. Ant Maddock), 2008) to be listed as a 'habitat of principal importance for the purpose of conserving biodiversity in England as listed under S.41 of the NERC Act 2006.

A large section of hedgerow 2 will be removed for the sole purpose of allowing access to this propose development.

Page 8 3.3 Protected/Notable Species

Birds: House sparrow and dunnock were recorded on site. The house sparrow is a red listed bird of conservation concern owing to significant decline in population of over 50% since recording began in 1969 (Eaton et alii, 2015). The house sparrow is listed as a 'species of principal importance in England under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The Dunnock is amber listed due to longer term declines in breeding populations of more than 20% but less than 50% since 1969 (Eaton et alii, 2015). The report concludes that 'It is likely that both the house sparrow and the dunnock utilise the hedgerow and scrub on site for both nesting and foraging and they are therefore likely to be directly impacted by any future development of the site'.

4- Detrimental impact for residents of Barrington Avenue

The positioning of the houses would have a detrimental impact on our privacy, the new houses would directly overlook our garden, rear bedrooms and conservatory. The amount of trees that would need to be removed to make way for this development would be a substantial loss to both our privacy and our current outlook. It is anticipated that we would also experience a significant increase in noise pollution from the traffic using Grovesfield Way and light pollution without the large trees and hedgerow to block it.

There are other issues that I wish to raise, a full detailed objection will follow via email.

Comments: 21st May 2018

Please find enclosed some supplementary comments that I would like to add to our already documented objection to planning application -

I would like to reinforce the concerns we have regarding access to the site and the impact the unsuitable development design will have on Grovesfield way.

The developer has enclosed a letter dated 20th December 2017 by the Highways Development Management which states that in principle a new access site in this location may be acceptable subject to certain information being considered and provided at application stage.

The swept car analysis (SPA) undertaken by the applicant has been carried out as per the Highway letters recommendation of two estate cars, however, they fail to address or even mention the issue of servicing and waste collection. The Highways letter states that if the development is to accommodate a refuse or service vehicle then an additional SPA would be required to be undertaken of a refuse vehicle passing an estate car, to the best of my knowledge from the documentation provided to us during this consultation period it does not appear that this has been done and the document access point is not wide enough to accommodate this type of vehicle.

The applicant has stated on their application for planning permission form dated 05/04/18 in section 7 that the plans 'incorporate areas to store and aid in waste collection' and that waste and recycling is 'as per CBC waste collection and recycling standard policy'. The CBC document 'Requirements for refuse and recycling provision at new developments' along with the Gloucestershire County Councils planning document 'Manual for Gloucestershire Streets has

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clear guidance on the type of roads that are suitable for refuse and service vehicles in new developments including those where a turning area is included. The proposed plans do not meet guidelines set out in either of these documents for safe access to development.

If the area is not suitable for refuse and service vehicles etc then the householders at these proposed new homes would have to place their waste at the kirb side which would be on the pavement/cycle path and the collection lorries would have to park up on Grovefield Way in order to collect their waste. As CBC operates a kirb side recycling scheme whereby the refuse collectors sort the recycling into the relevant areas of the collection lorry at the point of collection this could be for a substantial period of time and would surely lead to health and safety concerns for the CBC refuse workers and members of the public.

The same principle to the lack of safe access to this site would apply to other every day vehicles such as delivery vans, postal vans, utilities vehicles and more importantly emergency services vehicles such as fire engines or ambulances. If they drove into the development there would be no suitable parking and this would result in vehicles either driving in and being forced to reverse back out onto Grovefield way or reverse onto the pavement and cycle path in an attempt to rejoin Grovefield Way or vehicles parking on Grovefield way and walking into the development.

I also fail to see how large construction lorries/ cranes/ delivery vehicles and the workers associated with the development of the site will safely access the site to park and carry out the necessary deliveries of materials during the development stage without causing mass disruption on a very busy road at a poorly placed access point.

I hope that these points will be taken into consideration along with all of the other points raised during the consultation period.

Fayrecroft
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 1st May 2018

I object to this planning application for three principal reasons:

Safety:

I have been looking at the transport statement for Blenheim Villa and have extracted three quotes from the report:

Gloucestershire Highway quote:

"It must be noted that Grovefield Way is regarded as a local distributor road for the South West of Cheltenham, linking the A46 and A40. There are a few access junctions serving large developments and the occasional historic access. However there are few private accesses serving small residential developments taken from Grovefield Way. It must be robustly justified as to why the new access off of Grovefield Way is required and why it should be regarded as acceptable".

This looks good and it is a reasonable point that any new access from a local distributor road would have to be justified and acceptable.

And yet Cotswold Transport goes onto to say:

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Visibility Section -" The Audit Team consider that vehicle speeds on Grovefield Way at the location of proposed access are likely to be slightly higher than those recorded as the access is located within the 40mph speed limit and further away from the roundabout which would influence vehicle speeds".

and :

11.2 "No wet weather reduction in the recorded speeds has been made in order to provide a robust analysis".

The way I have interpreted this is that cars will be going faster past the access point than the speeds recorded on the survey and that , it is assumed, that drivers will automatically go slower in wet weather.

A number of points need to be raised:

a) Do we really want the residents coming out of the two new houses, when it is likely that the traffic is still travelling at around 40 mph, which is higher than most residential areas?

(Also one needs to take into consideration that many drivers will have just come off the M5 and A40 Golden Valley and will have become accustomed to driving at much higher speeds.)

b) It is a rather broad assumption that cars will be going slower during wet weather. I have been driving for 31 years and don't seem to have noticed this, especially on motorways. Many police programmes suggest that driving in very wet weather is as dangerous as driving in snow.

c) Any future increase in traffic from the undeveloped Grovefield site is not taken into account and cannot be until the future use of the site is known. Already we have seen very large car transporters trying to negotiate around the area.

d) The drivers' reaction times seem to assume normal behaviour. However studies have shown that most accidents are not caused by mechanical failure, but through human error whether impaired by alcohol or drugs or not. Sadly, I still witness drivers using mobile phones while driving.

Loss of green habitat:

I fear that this would set a precedent for further loss of green space and habitat, which has already been severely placed at risk in the area following the loss of the green belt status of the undeveloped part of the Grovefield site.

Marketability and need.

The JCS has earmarked sufficient housing until 2031. Do we need more?

I fear that this application has been hastily made without due consideration to its marketability and its position near to a busy road.

As an example, there is a modest new house in a nearby village which has been built on a former garden, in a position that was deemed unsuitable by the Parish Council owing to its proximity to the A46.

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I believe it has now only just been sold subject to contract after being on the market for over 6 months and after I believe at least 4 reductions in price. (The final price may be even lower; it is too early to say.)

Are we not in danger of promoting short term development for the sake of a quick profit, that may in reality be illusory? This is neither good for the developer, nor the local community.

Comments: 9th May 2018

I thoroughly endorse the very well researched and supported arguments of The Reddings Residents Association in objecting to this proposal.

As such I do not wish to repeat any of the issues raised.

However, I would like to add my own personal comment.

For most of my professional career I dealt with family bereavements. The most traumatic involved the sudden and tragic loss of life through motor accidents.

Perhaps the most shocking was when a driver pulled out of a poorly designed exit onto a busy road and where he and his passenger were instantly killed by an oncoming lorry.

Although a police investigation was set up to find out what had happened, this did not help the family who lost both their parents, nor the lorry driver who had two deaths on his conscience.

Road safety should not be compromised for the sake of a quick perceived profit.

The safety of this proposal needs to be revaluated before any work is carried out.

Comments: 22nd May 2018

I have been reading the GCC Highways report with interest, especially as it quotes:

"The carriageway is 2 way working with a posted speed limit of 30mph,"

It is a 40 mph road.

How can the report be taken seriously when it contains such a fundamental error?

Secondly, I would like to discuss the hedge.

It seems that the visibility of the splays is dependent upon the hedge being effectively trimmed.

Will the cost of the hedge maintenance be reflected in an increase in the council tax for these two houses?

It seems unfair that the rest of the community would have to subsidise the cost.

I understand that the Wildlife and Countryside Act prevents hedge trimming between certain months to protect wildlife (and quite rightly so).

I have looked at the hedge and it contains fast growing species such as hawthorn.

If the hawthorn growing in my back garden is anything to go by, it only takes some favourable weather conditions to encourage rapid growth.

This may or may not coincide with strict calendar dates of when trimming can be carried out.

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Furthermore, I understand that the concept of a wildlife corridor relies on a continuous unbroken line of vegetation. The creation of the new access would destroy this very valuable concept.

Also, the removal of part of the hedge to create the vehicular access would destroy a valuable acoustic barrier and lead to higher noise levels in Barrington Avenue.

Residents in North Road East have seen increased noise levels following the removal of vegetation following the creation of the BMW showroom.

I feel that the potential safety, wildlife and noise issues outweigh the advantages of two new houses.

8 Frampton Mews
The Reddings
Cheltenham
Gloucestershire
GL51 6UG

Comments: 4th May 2018

Access is off a very busy main road, across a busy pedestrian path and cycle path.

Lynwood
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 8th May 2018

I object to this development on the following grounds:

- 1) The proposed access onto Grovefield Way would be dangerous. It is a very busy 40mph road and the driveway access would be very close to the roundabout. Grovefield Way and the housing on the east side of it were designed so there are no access points. Allowing access onto Grovefield Way would be a disturbing precedent for other proposals.
- 2) The access would cut across the cycle path, which is supposed to encourage cyclists. With the investment to improve the cycle path on Up Hatherley Way (going towards Morrison's), it seems a bit daft to be placing obstacles in their way here to discourage cyclists. Again, allowing access onto Grovefield Way would be a disturbing precedent for other proposals, which would completely negate the cycle path.
- 3) The hedgerow on Grovefield Way is a haven for wildlife and it would be a disadvantage to remove it - the same issue for the removal of trees on the plot to build the houses.
- 4) I do not feel that the proposal is consistent with the Cheltenham local plan, as it a 'garden grab' and removes green space and trees from the environment. This plan has required a huge effort from the Planning Department, and it should be adhered to. The new homes quota is already met in the plan.
- 5) I believe the proposal would exacerbate flooding risk, as I have noticed standing water on the ground in the plot.

I do not understand why notices have not been displayed, as it seems that this proposal could have a wide ranging effect on local residents, apart from just next door neighbours. If local residents dare unaware of a proposed development, then it does not seem a transparent approach to planning and allowing people to make comments.

Badgers Mount
Branch Road
The Reddings Cheltenham
Gloucestershire
GL51 6RP

Comments: 29th April 2018

This is a seriously unnecessary and crazy application

1. The access to the site is very close to a really busy roundabout on the approach with limited view, if you personally inspect the proposed access at peak traffic times you will see how dangerous this proposal is.

2, Trees and hedges will need to be removed and this is against the agreement in the local plan as it will effect wildlife

3. There are already enough houses that have been approved until 2031, there is no need for anymore

4. There has been no notification or consultation with local people - this is unacceptable

We strongly object to this proposal on safety and wildlife grounds and the fact that there is no need for further housing in Cheltenham

The Reddings Residents Association

Comments: 25th April 2018

We attach our copy of a preliminary objection and query why the planning notice is not being displayed anywhere on the site, why TRRA are not listed as a constraint/consultee, why we have not been pre-consulted per NPPF, or kept advised of this matter by Councillors?

Responses would be appreciated.

In the meantime, the period for consultation must not commence, until the statutory notices are displayed.

Please confirm that this will be "called into" committee for a planning decision following proper consultation.

We look forward to hearing from you ASAP please.

1) Why is The Reddings Resident's Association not a consultee?

2) Why is The Reddings Resident's Association not listed as a constraint?

2) No planning Application advisory notice is being displayed at the subject site. The comment period must be reset/extended until the proper notices are properly displayed.

3) The application represents a major departure from the emerging the local plan, requires a road entrance on Grovefield Way (an orbital road), close to a roundabout & is inappropriate.

4) The application is entirely unsuitable for delegated authority. It must be a committee decision.

5) Detailed objection to follow.

We will email you separately with a copy to Councillors requesting an urgent response.

Comments: 8th May 2018

The Reddings Residents' Association (TRRA) object.

1. Further to our initial comments on 25 April 2018, we remain surprised that Cheltenham Borough Council have elected not to require display of planning notices for this application. This has been raised with a planning officer. Our interpretation is that the site does not fall within the provisions of the development plan in force in the area in which the land that is the subject of the application relates. The officer advises that the site is an infill site within the Principal Urban Area (PUA) and as such, developments are in line with the provisions of the development plan, although they may still be found to be unacceptable assessed against the specific, more subjective policies, and may go on to be refused. As such, whilst notices do not need to be displayed, and whilst this may be a strict interpretation, it does not seem to be within the spirit of the JCS, NPPF, nor the Emerging Local Plan in respect of consultation with the local community. On 9 June 2010, councils were given immediate power to prevent the destructive practice of garden grabbing through similar, inappropriate, classification of gardens as "previously residential land" in the same brown field category as derelict factories and disused railway sidings. Councils were provided with the power to decide what level of density is appropriate for the area and close the loophole. The Emerging Local Plan has specific guidelines to moderate and control garden grabbing.

2. The application is technically invalid. The applicant does not seem to identify that the hedgerow that needs to be cut down is not within their ownership. Along the boundary with Grovefield way, the arboriculturalists and environmental reports identify two hedges; H1 and H2. H2 is within the curtilage of the applicant's site. The boundary of the applicant's site is clearly marked in red on the plan and does not include hedge H1, which is under the care and ownership of Gloucestershire County Council/Highways. The hedge was planted as a noise screen for the south west distributor road (Grovefield Way) between 1988 and 1992. The applicant does not identify that notices have been served on Gloucestershire County Council in this connection. Notice needs to be served for the application to be valid.

3. The application form indicates that provisions for refuse collection are identified on the drawings but we are unable to identify them.

4. The application form indicates 8 car parking spaces provided. This is not in accordance with the Local Plan, second review table for dwellings outside of the core commercial area.

5. Vehicles accessing and egressing the development will, of necessity, have to cross both the pavement and cycle path. Whilst awaiting gaps in traffic, vehicles would be blocking the cycle path, thus forcing cyclists to use the pavement; safety of users will be jeopardised by this. This at a time when cycling is being promoted in the area, with the new cycle path being created further along the same link road (Up Hatherley Way).

6. The applicant indicates that stormwater will be disposed of to a soakaway, but the geology of the area is a heavy, impermeable clay where a very high number of trees and hedges are being proposed for removal. Significant ground heave problems will occur as the clays rehydrate at differing rates. Use of soakaways will further exacerbate very uneven ground recoveries, and pipes will fracture or develop backfalls. Lightweight attenuation/soakaway crates such as Stormcell will become displaced and ineffective as pipes will fracture or develop backfalls. The design is therefore thought inappropriate and not capable of acceptance. In respect of surface water treatment.

7. The site is presently used as a smallholding/agricultural use, rather than a garden. CBC should clarify whether the land is actually designated as garden rather than agricultural under Section 65 (8) of the Town and Country Planning Act 1990.

8. The applicant at 13b of the application says that no important habitats, trees or hedges are to be removed. This is entirely untrue, as his own arboricultural and conservation reports detail.

9. For the reasons above, we believe that the application should not have been registered, and that the application is not valid. Notwithstanding, we will discuss the merits of the application against the various headings of concern in the items below:

Transport

10. The applicant refers to the pre-application advice from Gloucester County Council (GCC) and states that the conditions have been met. However, the applicant relies solely upon his own traffic survey along a section of Grovefield Way between Tuesday 9 January 2018 and Monday 15 January 2018. Department of Transport TAG Unit M.12 "Data Sources and Surveys" identifies that surveys must only be carried out during neutral months. Neutral months are March, April (excluding Easter), May (excluding Bank Holiday weeks), June, September (excluding return to school weeks), October and November. Neutral months are ones which avoid main and local holiday periods, local school holidays, half terms and other abnormal traffic periods. January is not a neutral month and observations of the Highway Network Operation gathered cannot be considered representative and must not be used to assess the impact of this development proposal.

11. GCC identify that Grovefield Way is a local southwest distributor road, with few private entrances, and that GCC will require robust justification of why a new access is required and why it should be regarded as acceptable. There is no robust justification set out by the applicant. This is a small development on "agricultural" ground. Despite speculation by the applicant that an agricultural smallholding is inappropriate in the area, the whole area historically was market garden and it is only repeat development and garden grab applications that have changed the nature. This development commenced in the 1970's. The Reddings does however have a history dating back to 1560 and is not an estate development with its roots in the 1960's/1970's, as the applicant suggests. The development will provide 2 substantial four-bedroomed dwellings with garages. There is no shortage of houses of this type in the area, nor within the Borough. As such, we do not find robust justification here.

12. Although the applicant has considered crossover provisions for 2 estate cars passing, the estate car dimensions used are adopted from 2006. This is not considered typical of current estate cars.

13. In addition to the analysis for 2 estate cars, GCC require consideration of a refuse vehicle and an estate car passing in the entrance. The applicant does not consider this, nor do they provide swept circle analysis for the refuse vehicle turning onto the road, nor do they provide analysis of turning circle for the refuse vehicle once on site, nor do they identify where the bins are to be stored. Requirements for a refuse vehicle access are 5m wide, plus 0.5m clearance either side. The access must also be a minimum of 0.5m from the nearest tree. The refuse vehicle will therefore require a minimum of 6.5m, and the estate car adjacent to it will require a further 2.05m, meaning that the gap in the hedge which the applicant seeks to show as 4.1m will in fact need to be a minimum of 8.55m.

It would not be acceptable or safe for refuse vehicles to be parking on Grovefield Way, and adequate turning provision must be considered and shown on the applicant's drawings and layouts, together with details of bin stores. A 23m swept circle must be shown for the refuse vehicle's right and left turns into the development.

14. The applicant states that the visibility splays can be achieved by trimming the hedge. However, the current hedge overgrows a cycleway and the signage for the roundabout. The tenant does not identify the signage location, which will block the visibility splay. The arboricultural and ecological and planning statement and arboricultural survey and constraints

report all anticipate a low maintenance hedge with light trimming in the autumn. However, there is no detail as to who will be carrying out the trimming, in particular, in respect of the hedge H1, which is owned and maintained at public expense. Hedge H1 contains many fast-growing species. Following cutting-back, the tree/hedge species will rapidly re-grow and when they do, the visibility splay will be compromised within a matter of days/weeks. The owners of the property will not be entitled to cut back the hedge (as they do not own it). The requirement will fall to the Local Authority for maintenance of the hedge at public expense, whilst the applicant will gain significant pecuniary advantage from the development. This is neither equitable, nor fair. The local authority could also be found liable for the cause of any accident because they have failed to adequately maintain the visibility splay. Further, the Wildlife and Countryside Act will prevent trimming of the hedges through the critical growth periods March to August and thus, the visibility will be compromised. The applicant's proposal is not therefore sustainable. The height of the hedge is also such that tower scaffold or similar would be required to maintain the hedges safely, unless a mechanical flail is used. These are likely to be beyond the budget of the domestic owners of the property. Indeed, currently, only the front is trimmed, and the top has not been cut for some time. The design proposal is not therefore in accordance with the Construction Design and Management Regulations 2015 in that it introduces a significant hazard in respect of working at heights to maintain the visibility splay. The cutting of the hedges will also, at least partially, obstruct the cycleway, or the road if a tractor mounted flail is used.

15. Whilst a small area of tactile pavement to warn pedestrians/cyclists has been introduced by the side of the proposed hedge opening, it would not be clear what hazard is being advised, and entry of vehicles out of the site and across the cycleway would not be expected. Pushchairs would be a risk from emerging vehicles. The applicant does not make any clear statements with regard to priority.

16. The applicant does not detail the number of anticipated vehicle movements per day, which may reach 30 or more movements per day, given that parking for 8 cars is being provided.

17. Many residents have recently reported excessive speeds for vehicles travelling south on Grovefield Way, approaching The Reddings roundabout, as vision is now partially obscured by the hedge, which also obscures the signage. The introduction of a new private opening, close to the roundabout, would constitute a "change in road layout" as the many drivers that use Grovefield Way each day, and those that have used the road since 1989, would not be expecting vehicles to stop the traffic to turn right into the development or, to turn left into the development ahead of the roundabout where drivers would be expecting that the vehicle would be indicating to turn at the roundabout.

18. Significant road hazards could result in the event that a delivery vehicle was parked in the hammerhead simultaneously with the arrival of refuse, recycling trucks, or similar. The applicant makes no provision for this in his design.

19. Grovefield way was constructed as the southwest distributor link road. Relevant applications which should be listed in the Related Cases/Constraints tab are :

- CBC 88/01459/KZ - approval of reserved matters - outstanding
- CBC 89/00765/PM - construction of new road
- CBC 89/01826/PF - road layout and drainage
- CBC 92/00919/PF (Alt ref: CB 18844/01) - road section Golden Valley roundabout to B&Q roundabout
- GCC 92/00011/County (cross ref: CB 18844/1) - link road rail bridge
- GCC 92/00012/County (cross ref: 93/8436/0143/FUL) - link road rail bridge.

20. When the southwest distributor road was constructed, there were Highway design statements to the effect that no individual property access would be permitted onto the road, or similar. Indeed, dwellings constructed on North Road East since the time that Grovefield Way was built have a warranty that says that no entrance between North Road East and Grovefield Way will ever be reopened. At the time that permission was granted, there was great emphasis that

Grovefield Way was to be a link road and not a local distributor road. The residents' association has requested access to CBC records. In the interim, planning officers should investigate for themselves. In general, the link road principle has been upheld since 1992 as recent accesses onto Grovefield Way have been in the form of roads serving multi properties such as the Symphony Way housing development and most recently, the Cotswold BMW development (which has had a hugely negative effect upon traffic flows in the area since it opened in August 2017). No individual access has been created, save for the Coldpool Lane playing field which, it could be argued, is more akin to a multi access, and which it can also be argued has not yet been brought into use. The drop kerbs along Grovefield Way (where BMW staff currently park their cars) were for historic access to the farm fields. GCC conceded that these could remain in order to avoid delay in construction of the road. At no time during the conception or construction of the Grovefield Way link road has there been any suggestion that these farm accesses would ever be used for anything other than field access, because the greenbelt was then assessed as being highly valuable as the buffer to Gloucester, and there were no proposals at all to extend the PUA into it; or that access for BMW and the employment site E3 adjacent to it; or for the Symphony Way development; or, for the Coldpool Lane field, would ever be created.

The applicant's Design and Access statement does not suggest to us that there have been any significant discussions with GCC, rather, an in-principle decision has been requested, and the applicant has then not acted upon all of the matters raised. The drawings and reports submitted by the applicant in support of the transport policy are all marked "preliminary". If this application were to be permitted, the applicant would need to revert to the officers/planning committee for an amendment. It is therefore considered to be completely unacceptable to contemplate planning permission approval for the development, with a condition regarding transport, as the proposal by the applicant is completely misleading and he would be unjustly rewarded. At worst, it is misleading because the applicant recognises that approval would not be granted for the access that will actually be required. The hedgerow is much valued in the local character of the area. It was designed to act as a sound attenuation buffer for traffic and to ease pollution. As we have set out, the applicant will require a much larger hole in the hedge than has been indicated. The site is also located at the point where vehicles will be braking on the approach to the roundabout, and accelerating having left the roundabout. There will be considerable noise pollution to many nearby properties if the attenuating effect of the hedge is lost.

This is clearly measurable following the additional noise from the A40 which is now present within The Reddings area following the drastic removal of trees and hedges around the Cotswold BMW site at the bottom of Grovefield Way. Many residents within Leyson Road and along Grovefield Way are now raising significant concern with regard to pollution levels along Grovefield Way as a result of the vast increase in traffic, and in particular, periods of slow moving/stationary traffic from 07:30 to 08:30 and 16:00 to 18:30 hours each weekday. As we have reported, the traffic analysis supporting the application is fatally flawed as it has not been undertaken during a neutral month. Notwithstanding, the applicant has taken no account of the almost certain future increase in traffic flows: along Grovefield Way which will result from the development of the remaining site adjacent to Cotswold BMW (extent outline permission for B1 offices); nor the development of employment site E2 for B1 offices (adjacent to Pure Office/Asda); nor for the 27 houses granted permission adjacent to Asda; nor for the 80 bedroom care home facility being constructed in the former woodland behind Cheltenham Film Studios; nor for the increased traffic which JCS identify will be flowing into the park and ride where the spaces are to be more than doubled to more than a 1000 vehicle capacity; nor does it account for the additional bus traffic servicing the Churchdown housing developments on the Gloucester Cheltenham link; nor does it account for the new school and dwellings to be constructed in Leckhampton which will be accessing via the Grovefield Way "link road". All of this traffic will pass through The Reddings. Similarly, the use of Grovefield Way as a "rat run" to avoid the congested A40 and Hatherley Lane is not accounted for. This will cause significant increase in local pollution (the residents' association are already calling for pollution monitoring at this position on Grovefield Way where acrid fumes linger for many hours of the day and are thought to be breaching, or close to breaching, the national thresholds). With an 8m-10m gap in the hedge for access and significant reduction in the hedge

volume for visibility splays, the fume pollution to the residents of the new properties and to nearby existing residents, will rise significantly, and unacceptably, contrary to policy.

21. TRRA suggest that a headlight path analysis should be carried out to determine the nuisance that will result to neighbours due to the light pollution caused from headlights travelling into and out of the development, as well as the background lighting.

Previous applications

22. The planning history is noted, as is the inspector's report. The applications are now over 16 years old, during this time, local and government policies in respect of garden grabbing, vehicles, pollution, etc have varied significantly, and there has been a great deal of very local commercial and residential development. The applicant seeks to avoid the Emerging Local Plan by arguing that it is at the consultation stage and too early to give any weight to it. The Local Plan was most recently advised as being the final consultation ahead of submission to the inspector circa August 2018, having undertaken 3 prior consultations over a number of years. The Local Plan is considered to be a much better guide to emerging policy than retained policies CP4 and CP7. Notwithstanding, CP4 states that permission should not be granted where it will cause harm to adjoining landowners, or if it causes traffic to reach environmentally unacceptable levels. TRRA consider that the proposal breaches CP4 as the removal of the hedge to create an access for the 2 dwellings will have profound implications for many local dwellings in removing the designed sound and pollution baffle associated with the link road permission. The access will benefit only 2 dwellings. The Local Plan advises that the current 5 year housing land supply is robust. Once again, we can find no robust reason to permit a development of 2 houses, when it will have a significant negative impact on many more local dwellings and their amenity through noise and fume pollution, whilst to the much wider area, the additional disruption that it will cause to traffic will have a significant negative effect, particularly in respect of deliveries to the new dwellings from supermarkets, online retailers, post and refuse and recycling collections in being undertaken, as well as during the construction period when heavy plant will need to access and leave the site.

23. The site is not considered sustainable, as the adverse impacts will significantly and demonstrably outweigh any benefits for these 2 houses, when assessed against the policies of the NPPF as a whole.

24. Whilst the NPPF requires the planning authority to look for solutions, applications and appeals for vehicular access off The Reddings has already been discounted. That leaves only the possibility of access off Grovefield Way and this is contrary to its designation as a link road, where harm caused will outweigh the benefit. This application and other access points must fail because it is not sustainable or safe.

25. The NPPF requires refusal where the residual effects on traffic will be severe. This proposal is contrary to paragraph 32 which specifically requires safe and sustainable access for all.

26. The application is not in accordance with section 7 of the NPPF and does not contribute positively to making the area better for people. Rather, it will place a further strain on an already strained transport infrastructure, foul and storm water drainage infrastructure, health infrastructure (there are no doctors or dental surgeries, or similar within The Reddings area). We note that in previous applications there was mention of the applicant being willing to negotiate section 106/CIL levies for playing areas etc, but these are not repeated within this application. As such, the application does not in any way contribute positively to making the places better for people. However, it will significantly disrupt the local scene by introducing a gap into a hedge which is almost continuous from The Reddings roundabout down to the park and ride roundabout/B&Q, save for a gap on North Road East.

27. There are no precedents to break the hedge in the visual street scene to provide access for two properties.
28. The application is contrary to NPPF paragraph 53 in relation to garden grab. The paragraph states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens where development would harm the local area. The Emerging Local Plan makes it clear that the proposal cannot be approved.
29. The landscaping sensitivity is high. Development will "cause harm to the architectural integrity, townscape and environmental quality of the area by eroding open space around the existing buildings" contrary to the JCS criteria set out in SD4B and SD4C.
30. No consultations have been made with regard to biodiversity and geodiversity. However, neighbours identify bats, sparrows and buntings as protected species. The site is clearly in use by hedgehogs. This was proven recently, as a hedgehog was run over opposite the proposed entrance to the site on 3 May 2018 (photographic evidence available).
31. The application of previous policies to the application is not equitable. The applications in 2002 and the inspector's rulings cannot be considered as relevant because, since that time, close to the site, Cotswold BMW, B&Q, Pets at Home, Home Bargains, the Nuffield Hospital, Symphony Way housing estate, Asda, Pure Officers, Harvester, KFC and Travelodge have all been built. Presently, there is a large care home under construction, site E3 on Grovefield Way (over 4 acres of employment land) and E2 on Hatherley Lane for B1 offices and a further 27 houses have also been granted permission and/or are under construction.
32. The proposal is contrary to Emerging Local Plan policy D3 because it removes open private space that makes a significant contribution to environmental quality. The trees that are proposed to be removed have a minimum 10 years life expectancy by the applicant's own analysis.
33. The project does not enhance ecology, landscape or biodiversity in any sense; it simply provides a significantly reduced environment to that which presently exists. Proper consultation and surveys are required. The application proposes felling large areas of hedge and subsequent trimming and maintenance of a hedge that is not under the ownership or control of the applicant, for the benefit of the two private dwellings and the pecuniary gain of the applicant. Such maintenance would be at public expense if the project is allowed, and is not acceptable.
34. The application does not meet the requirements of INF1 of the JCS.
35. The contribution to the economy is negligible. The cost to the public purse of maintaining the crossover and the hedges and the loss to the environment and local character is far more significant.
36. The applicant assesses the hedgerows as being in accordance with the DEFRA 2007 criteria to be listed as "habitat of principle importance for the purpose of conserving biodiversity in England" section 41 of the NERC Act 2006. A much greater portion of the hedge than the applicant shows will need to be removed in order to comply with the requirement for an estate car and refuse vehicle to cross and to keep treelines and hedge lines out of the visibility splays.
37. The applicant does not show the views from Grovefield Way of the continuous hedge and the significant biodiversity that it affords as an intact hedgerow in his submission. Rather, the view is only included from within the applicant's garden. It is also noted that applicant's hedges H2 and H3 are also listed as intact hedgerows which are species-rich and also compliant with the DEFRA 2007 "criteria to be habitat of principle importance".
38. Policy G12 requires preservation of trees and not to allow them to be felled simply for relatively low value development purposes.

39. Policy G13 states that development causing harm to trees will not be permitted. This application will cause very significant harm to multiple trees.

40. It is of great concern to us that the applicant, Arlo Homes, state on their website that they are looking for "large rear or side gardens" and "corner plots". The nature of the developer's business is clear and seems to have little or no regard to the appropriateness of such a development or the environmental or aesthetic impact it would have on a community. The granting of such an approval will encourage, and reward, such thinking and set further precedents for inappropriate development in The Reddings area.

41. For all of the reasons listed above, the application must be refused.

Comments: 24th May 2018

The Reddings Residents' Association reply to GCC Highways comments on application:

We have reviewed the comments by the Highways Planning Liaison Officer dated Thursday 17 May 2018. Regrettably, the comments are factually incorrect.

1. The speed limit is 40mph, not 30mph as the Planning Liaison Officer states. A small section close to the roundabout with "The Reddings" is 30mph, but the position where the application proposes to make a junction with Grovefield Way is well within the 40mph limit. This is easily verified by a site visit, or google street view where speed signs can be clearly seen.

2. Along Grovefield Way there are just three openings: The Reddings, The BMW site and the Symphony Way housing development. A few yards beyond the entrance to Symphony Way, the road becomes "Coldpool Lane". Grovefield Way therefore only has two access junctions serving large developments, and an historic junction with The Reddings (which pre-existed Grovefield Way by hundreds of years). The other "redundant" minor accesses are for farmers fields (now used as parking for BMW staff). Historically, these were permitted in order to gain permission for the South West Distributor link road with the applications that we have listed from 1988 to 1992 when it was constructed with a warranty saying that no entrance would ever be reopened between North Road East and Grovefield Way and with great emphasis that it was to be a link road, and not a local distributor road (see item 19 on our objection dated 8 May 2018).

3. GCC Highways/CBC Planning Department need to refer to the relevant applications listed in item 19 of our objection dated 8 May 2018 and the conditions that were placed upon them and advise when and how the status of the road has been altered. GCC/CBC reference to supporting documents that do not support what we have set out would be welcome.

4. On the Coldpool Lane section of the link road, there are two historic entrances to residential properties that pre-date the construction of the link road by many years. These are within the 30mph section of the link road as it approaches the junction with Up Hatherley Way. One entrance has a chevronned, right turn filter lane; the second entrance (where the road narrows) still has a chevron separator for traffic. A more recent junction was made for the playing fields (still to be brought into use) that was constructed to replace those lost to the Symphony Way housing estate. Once again, there is a right turn lane refuge, it is within the 30mph section and, there is a pelican crossing immediately before the junction. This is easily verified on a site visit or google street view. We are not aware that highway design criteria has changed since 1992, so why are double standards being applied for this application compared to those on Coldpool Lane?

5. As set out above, there are no precedence for a private access serving small residential development on Grovefield Way and none whatsoever along the length of the link road for a junction to be formed into a small residential development in the 40mph section, close to the roundabout.

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6. GCC Highways do not note the large direction signage adjacent the proposed site entrance on the approach to the roundabout, which will obscure the visibility from the proposed junction /access and prevent a viable visibility splay being formed.

7. GCC do not note that the hedge (which was an integral part of the 1988/1992 permissions for the link road), is not in fact within the ownership of the applicant. It most likely belongs to them and they will be responsible for maintaining the visibility splay out of public funds. Why?

8. GCC Highways do not address the point that the traffic survey has been undertaken during a non-neutral month (see point 10 of our objection 8 May 2018 below).

9. GCC confirm that the proposed access, as drawn, is sub-standard, ie, it is not factually correct. It is very clear within the planning regulations that drawings submitted must be accurate and to scale. The drawings are neither, and the application should not have been validated.

10. We suggest that it would be unreasonable for the proposed condition to be attached to an approval. Not least of all because it is simply not possible to create an adequate visibility splay through a hedge that neither the applicant, nor the future owners of the proposed houses will own, and which they will be unable to maintain. This is because the seasonal hedge growth will restrict the visibility splay. The height and positioning of the hedge will be beyond the scope that a normal domestic resident could safely maintain (in accordance with the Construction Design and Management Regulations 2015), even if the hedge owners were to grant permission. Notwithstanding, in order to maintain visibility splays, and conserve the safety of those entering and exiting the site, the hedge will require constant trimming through the summer period. This would contravene the Countryside and Wildlife Act because wildlife and birds will need the habitat to be undisturbed (see our point 14 - objection dated 8 May 2018 below).

11. Swept vehicle analyses and turning circles for vehicles within the development and entering and leaving the development must be properly designed and drawn - the applicant submits only preliminary drawings and no designs. The GCC Highways Officer's contention that the pre-application advice issues have been addressed is patently wrong because drawing 01 is substandard in width and because any discussion of 85th percentile speeds on the highway are entirely invalid, because the data has not been collected in a neutral month.

12. GCC Highways do not address the residents' concerns over the significant potential introduced by this opening to users of the "Important National Cycleway" and the footpath, particularly pushchairs. This section of cycle path is regularly used by families and those joining the Sustrans Cycle Network route 41 (approximately 500 yards from this proposed entrance) which connects Bristol, Gloucester, Stratford-Upon-Avon and Rugby. With such a large amount of money and time being spent on improving the cycle provisions in this area, we are astonished that permission is being sought to allow vehicle access to cross it. It is simply inadequate to suggest that a condition should be placed on the applicant, when those conditions are rarely enforced by CBC. We would be interested to know the level of enforcement that would be applied by CBC or GCC were the condition to be ignored (because it is foreseeable). The issue of conditions can be avoided by making the applicant carry out detailed design and drawings to satisfy all of the design criteria now, so that there can be absolute certainty about what is to be constructed and how it is to be maintained and by whom. The safety is made all the more pertinent by the serious vehicle/cyclist collision on the Cold Pool Lane section of link road, 2 days ago.

13. The question of why it should then be maintained at public expense in order to service two private dwellings also needs to be answered by GCC/CBC/the applicant/developer.

14. We can only wonder why GCC Highways are stating the number of vehicle movements on the site and not the applicant. Notwithstanding, the former applications on the site in 2003 included for 5 dwellings, with an assessed 50 vehicle movements per day. These properties had two parking spaces each. This equates to 5 vehicle movements per day, per parking space. The

proposed properties have 4 parking spaces each, making a total of 20 vehicle movements per property, per day, or a total of 40 vehicle movements for both properties per day. The properties are 4 bed roomed and it is quite likely that 4 vehicles will be attributable to each property and there is no on-road parking nearby. In addition, supermarket and courier/postal deliveries will also be being made, as well as recycling and refuse collections. GCC Highway's suggestion of 10 vehicle movements per day is considered fanciful.

15. We maintain that the drawings are inaccurate and the design is not adequately developed to be able to satisfy the highway conditions in the pre-application advice. As such, the advice from the Highways "Technician" is simply wrong and no credence should be given to it. We are at a loss to know why GCC Highways appear to be trying to do the developer's job for them.

16. Notwithstanding the technical arguments, the application should not have been validated at all because the drawings and designs are marked preliminary, are inaccurate, and because the applicant has not served notice on adjoining landowners who would be affected, principally, the owners of the hedge at the edge of the highway which has a specific design purpose to act as a noise and pollution barrier to residents. The hedge is an ecology haven and yet no ecology reports have been called for in the consultation. Why? The public consultation is also flawed inasmuch as public notices have not been posted.

17. Otherwise we repeat verbatim points 1-41 in our objection of 8 May 2018. These take a forensic and detailed review of the merits of the application, and should not be dismissed as "NIMBY". If these points can be adequately addressed by CBC and GCC Highways and by proper designs and submissions by the applicant, we would be pleased to review them and comment/support them. In the interim, we maintain that this application is neither valid nor credible, and must be rejected.

Badgeworth Manor
Badgeworth
Cheltenham
GL51 4UL

Comments: 26th April 2018

I would like to register my support for this application.

There is a growing need for new homes throughout the UK which has been widely advertised by the Government and I cannot see any reason why this development should not be brought forward.

The previous application was rejected on the grounds of access, mainly due to safety concerns from The Redding's. The applicant has addressed this matter and provided the necessary evidence within their Transport Statement to display that a new access from Grovefield Way is both suitable and safe.

Looking at the supporting documentation this area of the site is currently used to house livestock, which is not wholly suitable in a residential area and would be better suited for use as a development site.

Hamilton
The Reddings
Cheltenham
GL51 6RY

Comments: 22nd May 2018

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I won't repeat the many valid reasons stated by The Reddings Residents Association and others. With an inaccurate highways report, a misleading plan, and an overall approach that goes against many of the local plans and historical principles, I object to the application.

27 Chalford Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6UF

Comments: 11th June 2018

I object strongly to the new access to these houses being created on to Grovefield Way. There is a 40 mile an hour speed limit and any access would be too close to an already busy roundabout. Cars approach this roundabout at high speed, often greater than 40, so pulling out would be impossible, and not safe. I do not see why access cannot be given through the current driveway being expanded and the plans being redrawn.

It also sets a precedent along this road. There is no other access to housing within the North Road East area for a good reason. Safety.

Coppalex
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 7th May 2018

Objection is made for the following reasons:

Providing access to the new development onto Grovefield Way is of great concern. Traffic travels at excessive speeds (try crossing near the roundabout on foot as I do) and there is very limited visibility when entering and leaving the roundabout. At peak time traffic is at a standstill. How will the residents be able to make a right turn out of the development without either blocking the shared foot/cycle path or the oncoming traffic.

There doesn't appear to be enough space in the development to allow the weekly refuse/recycling/food and garden waste vehicles to enter and exit safely. Will these vehicles pull up onto the foot/cycle path making it dangerous for users of the pathway and will the residents be leaving their bins etc on Grovefield Way? There is always a lot of waste on the roadside following recycling day, this will only add to the amount of rubbish that accumulates along Grovefield Way.

Cars are now parked daily in any available pull in/bus stop along Grovefield Way. Any new development along this road may encourage further thoughtless parking.

Destroying the hedgerow to allow two houses to be built will have an impact on local wildlife which has already been significantly impacted by the BMW development.

According to the JCS and the local plan the housing supply is sufficient through to 2031 so there is no requirement for additional housing and certainly not of the four bedrooms and double garages variety.

Springfield
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 8th May 2018

I object to the application for the two dwellings for the following reasons.

An entrance onto the Grovefield Way will be required. The Road is a 40mph speed limit and as such, right turns out of the property would be extremely difficult and indeed dangerous.

Grovefield Way, when constructed, was covenanted to not have any entrances onto it, which is why North Road East is a cul-de-sac.

The NPPF takes a very dim view of garden grab development. That is what this application seeks to do. The JCS has already identified sites to fulfil housing needs until 2031. The houses in this application are therefore not needed, they are purely to make money for the developer. The grant permission will make a mockery of the JCS.

Allowing access onto Grovefield Way would create a precedent which developers would then be able to use when applying for permission to build on the greenbelt area of Chestnut Farm opposite this site. Developers are already expressing an interest in building on it.

The proposed entrance to the site passes over a cycle path. As Grovefield Way is an extremely busy road, any car waiting to exit these two houses would, of necessity, have to block that cycle path for a considerable period of time waiting a break in traffic.

Where are bin and delivery lorries supposed to stop/park?

In order to create entrances, it would be necessary to fell a significant length of mature hedgerow to facilitate access to the site. As can be seen in the applicant's own biodiversity report, this hedgerow is a "habitat of principal importance for the purpose of conserving biodiversity in England". Recent successful planning applications have seen the decimation of wildlife habitats in The Reddings. Within the last few years, it has seen, the development of 250 houses near Coldpool Lane, the destruction of ancient woodland at Arle Court Manor, the new bus lane, Cotswold BMW being built in greenbelt and its shameless felling of hedgerow and mature trees (including a protected oak). Local wildlife is in desperate trouble and every inch of natural habitat is vital to try to salvage some of it.

Of my reading, the hedgerow that the applicant proposes to cut down doesn't even belong to them! This is an amenity that was provided for the benefit of all of the residents of The Reddings to act as a noise buffer when the Grovefield Way link road was built. It's astonishing that anyone would think it acceptable to make a large gap in this precious hedgerow just to build 2 houses.

The report talks of new hedgerow being planted. We already know from the woeful lack of action to control BMW staff parking that such items are merely wishes and aren't enforceable. As such, it certainly cannot be assumed that there will be anything nearly as valuable planted in it's place.

Hopefully the planning department will not allow this nonsense of an application to proceed any further, and that commonsense will prevail.

7 Chalford Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6UF

Comments: 4th May 2018

I object to this application for the following reasons.

1. No planning Application advisory notice is being displayed at the subject site. I believe that this is therefore not in line with the appropriate process/procedure.
2. If I remember correctly there was a similar application in 2002 that was rejected because of the access of Grovefield Way and a worry about safety. I cannot see that anything has changed to address this.
3. I feel concerned that a driveway would be allowed to access Grovefield Way. I have always understood that Grovefield Way was the "south west relief road for Cheltenham" and therefore would not be subjected to any additional junctions. When it was built North Road East was sealed off. I feel that having a driveway here would be unsafe and goes against the reason d'etre of Grovefield Way. My safety concern relates to a driveway being on a busy 40 mph road, near a roundabout and cutting across a cycle path.
4. The required removal of the hedgerow to allow the suggested access will have an impact on local wildlife which has already been significantly impacted by another local but major development (BMW). The street scene along Grovefield Way would be significantly impacted by a break in a continuous hedgerow from the nearby roundabout to the B&Q development except for a small gap to allow pedestrian access to North Road East. In 1995 the reason d'etre for the hedgerow was to provide a buffer zone between the road and the new housing estates.

March House
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 8th May 2018

I have read and support the other objections to this proposal. In particular, I object in the strongest possible terms to the proposed vehicle access on to Grovefield Way. Other objectors have pointed out the COMPLETE FOLLY of this proposed access onto a busy road with a 40mph speed limit so close to a roundabout.

In addition:

Approval of this access would set a precedent for other potential developers with land adjacent to Grovefield Way. This road already carries a large volume of traffic, with long queues and consequent delays at peak periods. We should not be adding to this problem with unplanned developments of this sort.

The application makes no mention of how contractors vehicles will access the site during the construction process. If this is from Grovefield Way, the consequent disruption would be unacceptable.

For these reasons alone this application should be rejected.

Comments: 22nd June 2018

Blenheim Villa already has vehicular access to The Reddings. There is plenty of room between Blenheim Villa and the eastern boundary of the property.

If the owner really wants to build two house in his back garden, I can see no reason why access to them should not be via an extension to the existing driveway.

Therefore the proposed access from Grovefield Way (and all the grossly detrimental side affects) is entirely unnecessary,

The Hedgerows
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 8th May 2018

I object to the proposal for the following reasons:

1) There are very serious safety issues with the proposed location of the vehicular access to the site. An access intended to serve two very sizeable family houses yet located on a very busy 40 mph distributor road, positioned adjacent to a roundabout and traversing a well-used cycle path.

Furthermore, there does not appear to be sufficient provision for the accommodation of refuse bin and re-cycling lorries and other service vehicles delivering to/collecting from the site, which represents a further serious safety issue in this location.

2) The development of this garden land with the consequent loss of yet more valuable green space, trees and hedgerows would be detrimental to wildlife, the environment and to the character of the location.

5 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 4th May 2018

I have only just been made aware of this planning application. I walked by the site and did not see any public information notice.

Safety is a major concern. The siting of the entrance for the proposed houses seems very close to the roundabout. The road curves and unless most of the hedgerow is removed, visibility would seem to be an issue. The speed limit is 40mph and this is busy road, which until BMW was built, did not have any "breaks" apart from long established junctions with side roads.

The disruption to the cycle path is undesirable.

If the property owner wants the development to go ahead, perhaps they would be willing to lose land to the side of Blenheim Villa to allow access onto Th Reddings, rather than disturb the traffic flow on Grovefield Way.

The hedges are full of life and the loss of habitat would be detrimental as well as removing a buffer zone for neighbouring houses.

If this proposal is passed, then it seems likely that applications from nearby similarly positioned sites would follow, with the same safety issues.

4 Shakespeare Cottage
North Road West
The Reddings
Cheltenham
Gloucestershire
GL51 6RF

Comments: 7th May 2018

We wish to object to this application for the following reasons:

1. This application should not have been validated - the application site indicated by the red line does not include land where works are required to achieve the visibility splays indicated in the Highways Technical Note. This land should be included in the application and a notice served upon the owner (presumably GCC Highways). At present it gives a false impression of the works required.

2. A site notice has not been displayed. This application is of sufficient wider interest to require one.

3. The design of the proposed dwellings is of insufficient quality to justify the loss of Local Green Space and therefore against policy.

4. Highways issues:

- The visibility splays shown cannot be achieved without significant cutting of existing hedgerow and removal of a large traffic sign. The drawings do not accurately reflect the current situation where hedgerow steps out and covers half of the shared cyclepath as you approach the roundabout.

- The creation of a junction so close to The Reddings roundabout is dangerous and would be an aberration on Grovefield Way and contrary to the intention of the road when it was built as a link road i.e. there are no private dwelling accesses off it.

- It is not clear who will have to give way where the proposed access crosses the cyclepath. It appears as though exiting cars will have to make a two stage departure but it is still likely that cars will end up straddling the cyclepath at times. Users of the cyclepath will not be expecting a junction of this nature.

- Cars exiting the roundabout towards Arle Court have the possibility of being faced immediately with stationary vehicles waiting to turn right into the new properties.

5. All but one tree appears to be proposed to be removed from the site with limited new planting. Hedgerow will have to be severely cut as above and this would represent an unacceptable puncturing of the green buffer zone along Grovefield Way.

Comments: 21st May 2018

The latest GCC Highways are factually incorrect and state the road has a 30mph limit when it is in fact 40mph.

They suggest unachievable and unenforceable conditions regarding visibility splays and appear to be written by someone looking to apply standard sentences from their manual without any knowledge of the site and locality.

No mention of a Section 278 agreement?

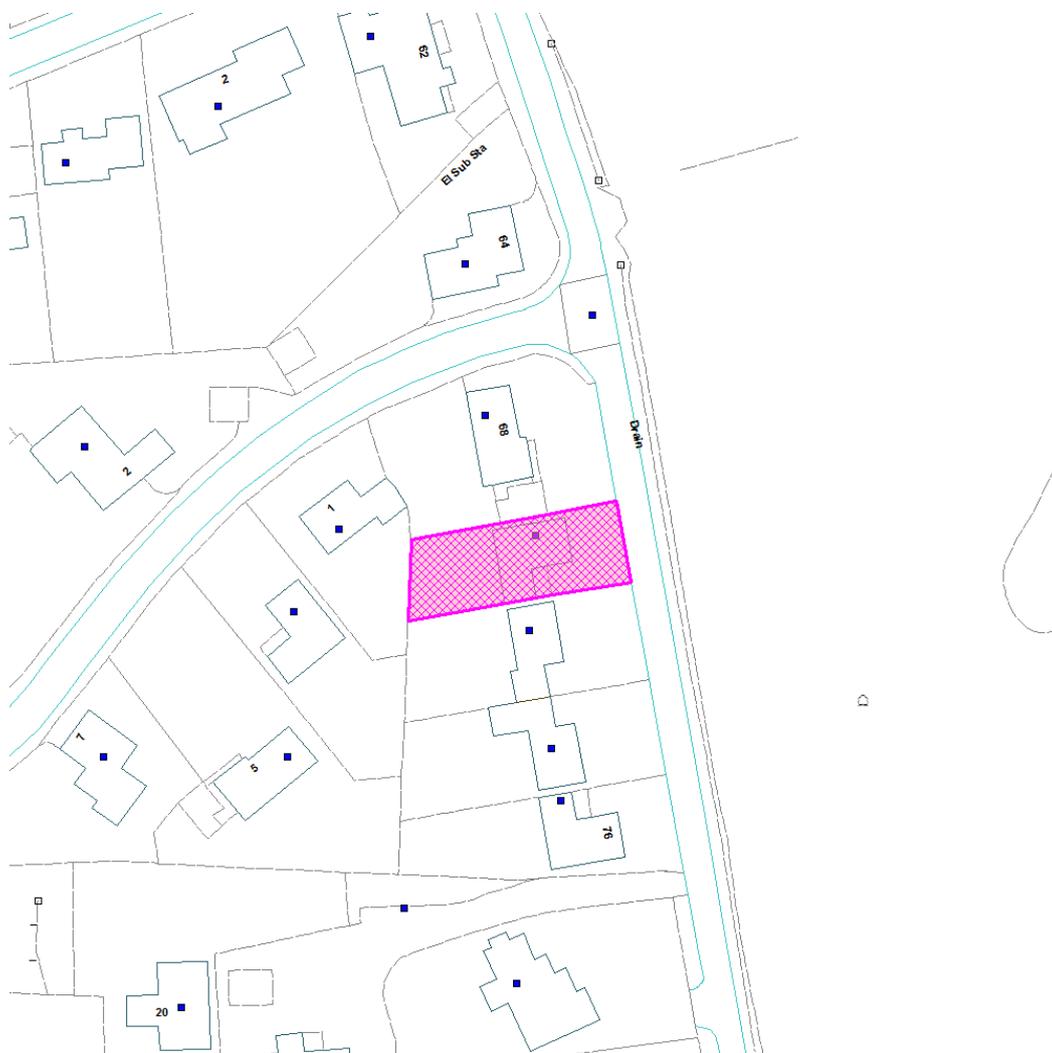
No comment on the ownership of the land where alterations are required to achieve the visibility splays.

Given the significant loss of hedgerow required why has the Biodiversity Officer not been consulted?

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APPLICATION NO: 18/01142/CONDIT	OFFICER: Michelle Payne
DATE REGISTERED: 7th June 2018	DATE OF EXPIRY: 2nd August 2018
WARD: Charlton Park	PARISH: Charlton Kings
APPLICANT:	Mr And Mrs Atkins
AGENT:	EdgeDesignWorkshop Ltd
LOCATION:	70 Sandy Lane, Charlton Kings, Cheltenham
PROPOSAL:	Variation of condition 2 (approved documents) on planning permission ref. 17/00691/FUL to infill the rear terrace at first floor and make minor adjustments to the fenestration

RECOMMENDATION: Permit



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4. CONSULTATION RESPONSES

None

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to the occupiers of the three adjoining properties. One representation has been received which seeks to ensure condition 4 of the original consent, to limit the use of the flat roof, is repeated.

6. OFFICER COMMENTS

- 6.1 Guidance set out within planning practice guidance (PPG) acknowledges that “*new issues may arise after planning permission has been granted, which requires modification of the approved proposals*” and that where less substantial changes are proposed, an application seeking a minor material amendment may be submitted under Section 73 of the Town and Country Planning Act 1990, which allows for conditions imposed on planning permission to be varied or removed.
- 6.2 As such, the only consideration when determining this application is the acceptability of the proposed changes as an amendment to the approved scheme. The acceptability should be judged on the basis of any increased impact on neighbouring amenity and whether the changes are acceptable from a design perspective. Members are advised that the principle of development has been firmly established through the original grant of planning permission.
- 6.3 With regards to neighbouring amenity, the proposed amendments could be seen as an improvement to the approved scheme. Whilst the approved scheme was wholly acceptable in terms of amenity, the infilling of the recessed balcony to provide the en-suite and the installation of an additional window, which can be reasonably assumed to be obscure glazed, would remove any potential for overlooking or loss of privacy to adjoining properties. Additionally, the revised proposals are considered to be acceptable on design grounds.
- 6.4 Ultimately, the amended scheme is one which is not substantially different from that originally approved and does not result in any additional impact on neighbouring amenity. Therefore, with the above in mind, the recommendation is to grant planning permission subject to the following conditions which reflect those imposed on the original decision:

7. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 facing brickwork used in the development hereby permitted shall be Wienerberger Terca Hectic Black, Wienerberger Terca Forum Smoked Branco and Ibstock Staffordshire Slate Blue Smooth.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 The flat sedum roof of the rear single storey extension, shown on Drawing No. 1381_05_A, shall not be used as a balcony, roof garden or other external amenity area. Access to the flat roof shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

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 application constitutes sustainable development and has therefore been approved in a timely manner.

APPLICATION NO: 18/01142/CONDIT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 7th June 2018		DATE OF EXPIRY : 2nd August 2018	
WARD: Charlton Park		PARISH: CHARLK	
APPLICANT:	Mr And Mrs Atkins		
LOCATION:	70 Sandy Lane Charlton Kings Cheltenham		
PROPOSAL:	Variation of condition 2 (approved documents) on planning permission ref. 17/00691/FUL to infill the rear terrace at first floor and make minor adjustments to the fenestration		

REPRESENTATIONS

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

1 Hartley Close
 Cheltenham
 Gloucestershire
 GL53 9DN

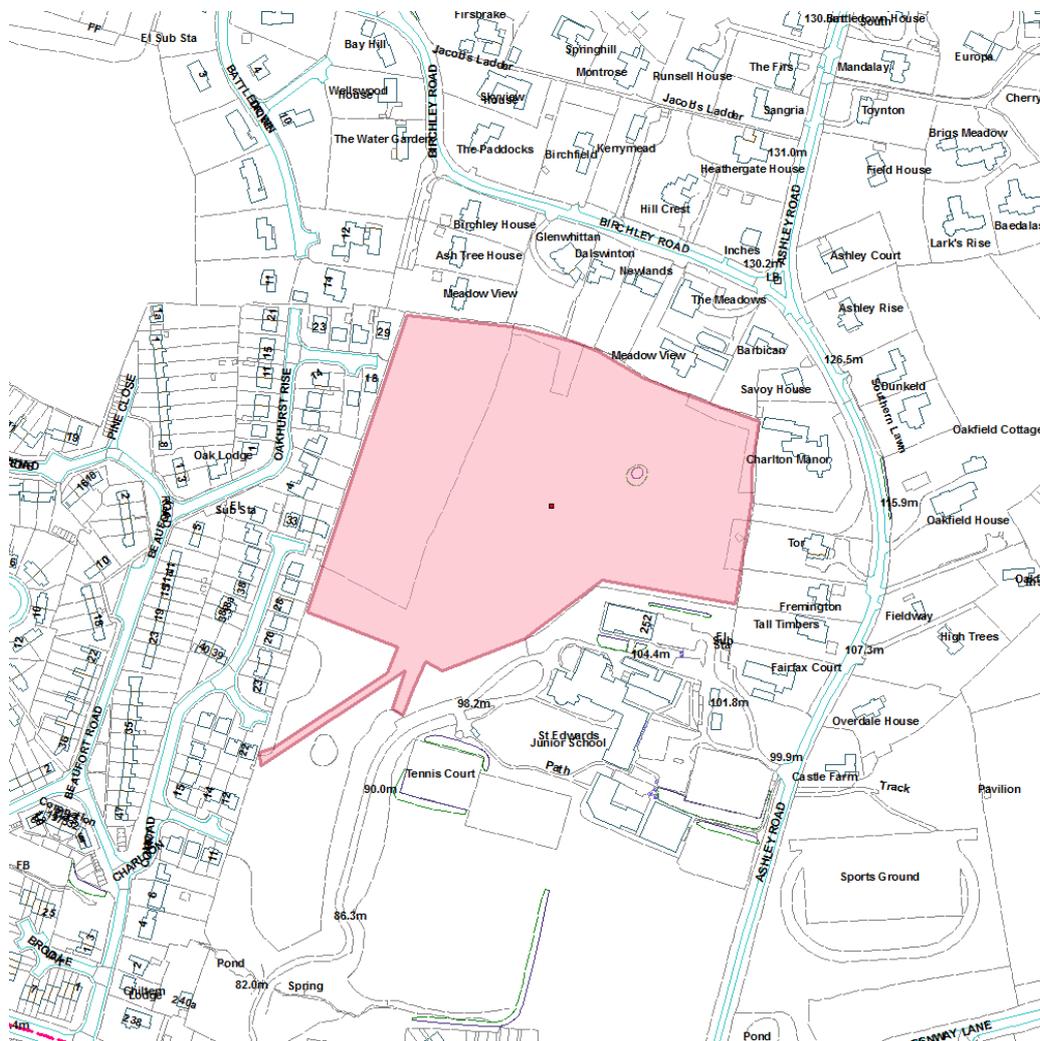
Comments: 8th June 2018

The variation to Condition 2 sees the removal of the first floor recessed balcony from the rear of the property. However, we would anticipate that the limitations of use for the sedum roof expressed in Condition 4 of the original permission remain extant.

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APPLICATION NO: 17/00710/OUT	OFFICER: Michelle Payne
DATE REGISTERED: 16th August 2017	DATE OF EXPIRY: 15th November 2017
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	William Morrison (Cheltenham) Limited
AGENT:	SF Planning Limited
LOCATION:	Land Adjacent To Oakhurst Rise, Cheltenham
PROPOSAL:	Outline application for residential development of 90 dwellings including access, layout and scale, with all other matters reserved for future consideration

RECOMMENDATION: Permit subject to S106 agreement



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1. INTRODUCTION

- 1.1 The application site is a large, undeveloped parcel of land, approximately 4.3 hectares, located to the east of the borough within the Principal Urban Area (PUA) in an elevated position above the town. The site comprises two fields of grassland separated by a mature hedge and trees, and is largely bound by hedging and trees. Members will visit the site on planning view.
- 1.2 Residential properties in Birchley Road and Ashley Road are located to the north and east of the site, and Oakhurst Rise to the west; St Edward's Preparatory School is located to the south.
- 1.3 The site is heavily constrained due to the presence of a number of TPO'd trees; the sloping nature of the site; the presence of protected wildlife species; the presence of an historic Ice House; and its close proximity to listed buildings.
- 1.4 Currently, the site forms part of the wider St Edward's Preparatory School site but is owned by The Carmelite Charitable Trust who lease the land to the school.
- 1.5 The application seeks outline planning permission for the erection of 90 houses (40% affordable) with access provided from Oakhurst Rise. The application is seeking approval for the access, layout, and scale; with matters relating to appearance and landscaping reserved for future consideration.
- 1.6 The number of dwellings has been reduced to 90 during the course of the application; the application originally having proposed 100 units. The revised layout comprises the following mix of housing:
 - 22 x 2 bed apartments
 - 18 x 3 bed houses
 - 35 x 3/4 bed houses
 - 10 x 4 bed houses
 - 5 x 5 bed houses
- 1.7 Pre-application discussions took place with the applicant prior to the submission of the application.
- 1.8 In addition to drawings, the application has been accompanied by the following detailed reports and statements which have been revised/addended, where applicable, during the course of the application, all of which have been available to view on the Council's website:
 - Design and Access Statement
 - Planning Statement
 - Flood Risk Assessment
 - Tree Survey, Impact Assessment and Method Statement
 - Hedgerow Assessment
 - Ecological Appraisal
 - Badger Survey
 - Bat Activity Survey
 - Tree Assessment and Inspection Survey for Bat Roost Potential
 - Built Heritage Statement
 - Archaeological Desk Based Assessment
 - Archaeological Statement
 - Preliminary Ground Investigation Report
 - Geo-Environmental Desk Study

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 5 Sustainable transport
CP 7 Design
BE 20 Archaeological remains of local importance
GE 2 Private green space
GE 3 Development within extensive grounds
GE 5 Protection and replacement of trees
GE 6 Trees and development
GE 7 Accommodation and protection of natural features
RC 2 Youth and adult outdoor playing facilities
RC 5 Development of amenity space
RC 6 Play space in residential development
RC 7 Amenity space in housing developments

Adopted Joint Core Strategy (JCS) Policies

SP1 The Need for New Development
SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD6 Landscape
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF3 Green Infrastructure
INF4 Social and Community Infrastructure
INF6 Infrastructure Delivery
INF7 Developer Contributions

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Flooding and sustainable drainage systems (2003)
Landscaping in new development (2004)
Planning obligations (2003)
Planning obligations: transport (2004)
Play space in residential development (2003)
Public art (2004)
Security and crime prevention (2003)
Sustainable buildings (2003)
Sustainable developments (2003)
Travel plans (2003)

National Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

4. CONSULTATION RESPONSES

GCC Lead Local Flood Authority (LLFA)

3rd October 2017

I refer to your communication received on 22nd August 2017 regarding the above application and your request for the Lead Local Flood Authority (LLFA) to provide advice on the applicant's proposals for the management of surface water and associated flood risk.

The applicant has correctly evaluated the flood risk to the site and it is considered to be at low risk from fluvial and pluvial flooding, this takes into consideration the flood maps for planning provided by the Environment Agency and the topography of the site. However, the site is situated in a relatively steep sided catchment and there are significant surface water accumulations, and recorded incidents of flooding in the lower reaches of this catchment. It is important therefore to ensure appropriate measures are provided by the applicant to safely manage the flood risks arising from the increased run off from the development.

The applicant has ruled out the option for an infiltration based drainage strategy owing to the impeded drainage characteristics of the soil, this is based upon advice provided by a soil investigation consultant. This has not been verified by on site investigations but we would not disagree with this analysis, we are aware of other sites in the general vicinity where the soil conditions are similar, i.e. Charmouth Mudstone Formation.

It is proposed to control the developed site run off flow rate at the QBAR event, the applicant has calculate this based on the whole area of the site being 4.11 Ha. It is acceptable to control the flow to QBAR but, as the proposed impermeable area is only 1.76 Ha, and as this is less than 50% of the overall site, it would be more appropriate for the designed controlled flow to be based upon the green field equivalent flow rate for the area corresponding to the proposed impermeable area. Accordingly, it is recommended that the applicant should reconsider their assessment of the relevant green field equivalent run off rate.

The applicant has provided a conceptual design for a surface water drainage system based upon underground attenuation with capacity to contain excess flows up to the 1 in 100 year event plus climate change. Their submission contains details that show that some areas will consist of permeable paving which will provide appropriate water treatment. However, there are extensive areas of circulatory road that are not proposed for permeable paving and there is insufficient detail in the submission to indicate how the water quality from these areas will be protected. The applicant has not provided sufficient evidence to explain why above ground attenuation is not being proposed, if it is viable then this would be preferred to underground crated systems and enable more efficient and effective maintenance. The applicant has not provided a strategy to describe how exceedance events over a 1 in 100 year return period will be safely managed and has not provided a maintenance plan.

The applicant is proposing to connect to the Water Company network and the Water Company has stated that permission to connect is conditional on LLFA agreement. The applicant should provide evidence to show that it has considered an outfall to the existing watercourse situated a short distance away, particularly as the water company asset outfalls to the same watercourse only a short distance further downstream. Their strategy is referred to as "option 1" and some component parts in the design are indicative rather than confirmed. Given the vulnerability to flood risk from the developed site in the lower reaches of the catchment we recommend that the applicant should provide a more definite proposal for approval before commencement.

Notwithstanding the concerns identified above, the LLFA is satisfied that, on the basis of the information submitted thus far by the applicant, the site could incorporate a viable and

acceptable sustainable drainage system. If the Local Planning Authority is minded to approve this application the LLFA would therefore recommend the inclusion of the following condition in order that the outstanding concerns/issues can be addressed before commencement;

Condition: No development shall commence on site until a detailed design, maintenance and management strategy for a sustainable surface water drainage system has been submitted to and been approved in writing by the Local Planning Authority. The design detail must demonstrate the technical feasibility/viability of the drainage system to manage the flood risk to the site and elsewhere, include measures to ensure water quality is protected and that these systems are managed for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is put into use or occupied.

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

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

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

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

GCC Lead Local Flood Authority (LLFA) – revised comments

2nd March 2018

I refer to your communication received on 8th February 2018 regarding the above application and the applicant's submission of a revised FRA/Drainage Strategy, your request for the Lead Local Flood Authority (LLFA) to comment on the proposals for the management of surface water and my previous response.

The applicant has amended their assessment of the permitted green field run off rate and I can confirm that this is now an acceptable representation. The applicant has provided a conceptual design for the sustainable drainage system and has confirmed that their final design will be based upon controlling the surface water run off from the development at the permitted rate after making allowance for 40% climate change. The applicant has also indicated that appropriate measures will be included in the design to protect water quality and has identified a viable outfall to discharge the surface water.

I am satisfied that the main principles for an acceptable sustainable drainage system can be incorporated into this development. However, the applicant has stated that the details of the design will not be available until a later stage so, if the Lead Planning Authority is minded to approve this application, the LLFA recommends the inclusion of a number of conditions as stated in my previous response dated 24th August 2017.

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

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

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

CBC Heritage and Conservation Officer

9th March 2018

Due to the number of name changes for clarity reference to St. Edward's within these comments is intended refer to the Regency villa, now used as an administration building. It is grade II* and described in its list description as one of the finest villas in the Cheltenham area. It forms a group with a number of other heritage assets on the school site including, boundary walls and gate to St. Edwards facing on to London Road, Summerhouse to the southwest of St. Edward's, a pair of piers at the carriage sweep of the southwest of St. Edward's, all grade II listed. The curtilage listed buildings of note are the icehouse to the north of the St. Edward's. Another notable heritage asset is Charlton Manor, a grade II listed building on the Battledown estate whose rear boundary directly abuts the site. An important consideration with this application is its impact on the setting of these heritage assets, particularly St. Edward's.

The proposal is for outline permission for a residential development of up to 100 dwellings including access, layout and scale, with all other matters reserved for future consideration. When considering the proposal in relation to its impact on affected heritage assets it is important paragraph 132 of the NPPF is referenced, it states, "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be." It goes on to state, "Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

Impact on St. Edward's

Historically the setting of St. Edwards was planned parkland within a wider rural landscape with the main access to it from London Road along an informal, winding driveway. However the way in which the heritage assets are experienced today has changed. The parkland setting has become slightly compromised by the school use through modern additions to the rear, modern planting, sports facilities and other school related paraphernalia. The slow growth of the Battledown estate since the Victorian period to the north and east and the modern suburban development has eroded the rural setting of St. Edward's by crowding it. It has a notable presence and often unwelcome visual intrusion around the edge of the existing curtilage of St. Edward's. The former rural wider setting has become significantly diminished as a result of suburban development. However, the site itself retains an openness and its wider rural backdrop is still present to the north of St. Edward's, on the location of the proposed site.

The proposal site affects how the villa and its immediate parkland setting is experienced in its wider context. The land to the north does not form part of the planned landscape of the villa but is important as an incidental wider rural context to the planned parkland. This rural setting is now almost lost due to the existing suburban development so it is considered important to protect what remains of it. The proposed development would remove the last area of land that has a rural character, would notably further reduce the distance between suburban development and St. Edward's which would appear incongruously within its setting. The impact of the proposed development on important views while travelling along the sloping driveway from beyond the entrance to St. Edward's would be significant. From

the driveway the proposed development would form an inconspicuous element, visible in an elevated position to the north, encroaching on how listed building and its parkland setting is experienced. It is recommended the application be refused for this reason.

Impact on Icehouse

The icehouse to the north of St. Edward's is located below ground, above ground it is a mound with a number of trees growing on it, likely structurally compromising it. The icehouse appears to have been a functional structure set away from the villa within open fields, rather than being part of the planned landscape. However this lower hierarchical status does not mean it has no historic interest. The icehouse is considered curtilage listed through its historic ancillary functional relationship with St. Edward's. It is important to consider the impact of the proposed works on this curtilage listed building, its setting and its relationship with St. Edward's. The icehouse would have historically been accessed from the service side of the villa and can be seen obliquely from the windows on the northern elevation of St. Edward's. Although its relationship with St. Edward's has to a degree been undermined by a modern single storey outbuilding and planting to its immediate north, their connection is not considered so significantly harmed that the relationship is severed.

The icehouse and trees are to be retained within the proposal. It is shown adjacent to a proposed public open space with informal play space to the east, dwellinghouses and at a junction of roads to the north, west and south, beyond which to the southwest is a proposed relocated badger sett comprising a small woodland and proposed planting on the southern boundary of the site. However, while an attempt has been made to make a feature of the icehouse within the development the proposal is considered to harm the relationship between it and St. Edward's.

Concern is raised over the impact of the proposed development on the immediate setting of the curtilage listed building and on the separation this creates with the principal listed building. The rural setting of the curtilage listed building is unacceptably compromised by the proposed housing estate. The visual separation of the curtilage listed building from St. Edward's as a result of infilling the open space between them with dwelling houses, access roads and additional planting, severs the visual connection between them. This impact is considered to harming their heritage significance. It is recommended the application be refused for this reason.

Impact on Charlton Manor

Charlton Manor, Ashley Road is a grade II listed building located to the northeast of the site within the Battledown estate. Battledown was laid out in 1858 with Charlton Manor the first property to be built there in 1864. While the estate grew slowly into the late 20th century the area is typically characterised by large houses set back from the road on large plots.

As existing there are open fields and trees beyond the rear garden of Charlton Manor to the west and southwest. The application proposes dense housing development to the immediate rear of Charlton Manor. The proposal would result in the loss of views from the listed building and the proposed density of development is not in keeping with the generous plot and house sizes found within the Battledown estate. The proposal would result in excessive enclosure to the rear of Charlton Manor, adversely affecting the setting of the listed building. It is recommended the application be refused for this reason.

Less than Substantial Harm

Paragraph 131 of the NPPF states, "In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation." However, this is not a consideration in this case as the RPS CgMs Built Heritage Statement dated April 2017 recognises the proposal will cause less than substantial harm to the heritage assets, particularly with reference to the building referred to in this report as St. Edward's.

It should be noted less than substantial harm is still unacceptable harm. Paragraph 134 of the NPPF is relevant, it requires, "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." Justification for the proposed development through a balancing exercise is required to justify the proposal.

The RPS CgMs Built Heritage Statement, read in conjunction with the Heritage Statement by Architectural History and Conservation dated November 2017, is a thorough assessment of the impact the proposal and its impact on the affected heritage assets. RPS CgMs Built Heritage Statement states the public benefits of the proposal being set out in the Planning Statement. This document does not explicitly state these but briefly they include being a sustainable location and site for residential development which will help to meet Cheltenham's housing shortfall, the possible inclusion of affordable housing, it would minimise loss of Green Belt land, it would have local financial benefits both short term with construction jobs and long term with occupation and would have the benefit of council tax and new homes bonus receipts.

Notably neither the Planning Statement by SF Planning dated August 2017, the Design and Access Statement by Coombes: Everitt Architects nor the Heritage Statement by RPS CgMs dated April 2017 carry out the exercise of directly weighing the harm to the significance of a designated heritage assets against the public benefits of the proposal. While there are public benefits to the proposal it is not considered a convincing argument has been made these outweigh the harm that would be caused to the significance of the affected heritage assets and the great weight that should be given to these asset's conservation. The proposal is not therefore justified and should be refused for this reason.

Historic England

30th October 2017

Thank you for your letter of 28 September 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

Historic England does not support the principle of development on this parcel of land. We consider the open green space to contribute significantly to the setting of the Grade II* listed Ashley Manor.

Historic England Advice

The villa at St Edwards School, known most recently as Ashley Manor, was built for Nathaniel Hartland (the single most important lender of money to builders in the Pittville development in Cheltenham). Its list description describes it as 'One of the finest villas in the Cheltenham area, its internal plasterwork is a particular feature for its diversity, depth and quality of composition.' The original approach to the house is from London Road to the south; the sinuous tree-lined drive remains largely unaltered. The Grade II listed boundary walls and gate piers (marking the entrance from London Road), and further into the grounds, the Grade II summerhouse and drive piers to the surviving carriage sweep are all remnants of this high-status, grandiose villa-house ensconced within its generous parkland setting. Indeed, the topography of the site is significant; the land rises markedly from south to north, which would have been a conscious motive for siting this 'villa' style dwelling overlooking the town. This 19th century revisiting of ancient Classical-inspired villas was heavily influenced by Andrea Palladio's work of the 16th century. Palladio's villa suburbana (country houses purely for residential or leisure as opposed to agriculture), in particular the Villa Rotunda, gave rise to a vast tradition in villa architecture; these formative dwellings were conceived with a close relationship to their location. Of Villa Rotunda, Palladio wrote 'the site is as pleasant and delightful as can be found; because it is upon a small hill...it is

encompassed by the most pleasant risings...and therefore...enjoys the most beautiful views from all sides'. The building rises out of the landscape and so does Ashley Manor in this very nature. So, whilst the principal elevation faces southwards, the siting of this villa, within its extensive, rising grounds is of, arguably, equal significance.

The outline application is for a residential development of up to 100 dwellings in the parcel of grassland to the north of Ashley Manor. The site forms an important green backdrop to the principal villa, rising northwards, and contains ancient trees, deer, and, as corroborated by the Archaeological Statement, the presence of a former ice house, taking the form of a tree-covered mound, undoubtedly ancillary to Ashley Manor. The site is therefore clearly associated, historically, with the villa - grounds of this extent would be expected with a high-status property.

Having visited the site, we are aware that significant modern additions (large school-related buildings, as well as landscape features such as the blue-topped playing surfaces) have eroded the historically isolated setting of Ashley Manor. Notwithstanding, the house (and associated school buildings) remains positioned within the extent of its historical grounds and the application site forms a key green buffer between the villa and later development to the north.

Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". In line with the National Planning Policy Framework 2012, planning authorities should look for opportunities for proposals within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Significance can be harmed or lost through development within its setting. As heritage assets are irreplaceable, any harm to their setting should require clear and convincing justification (para. 132). Only proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (para. 137). Additionally, the desirability of sustaining and enhancing the significance of heritage assets is paramount when determining this application, whilst new development must make a positive contribution to local character recognising the positive contribution that the conservation of heritage assets can make to communities (paras. 131). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (para. 134).

As we have acknowledged, recent school additions to the site have eroded the villa's setting to a degree. Nevertheless, the proposal will push development uncomfortably close to Ashley Manor. When approaching the house from its historical drive, the experience of the house set upon the slope of Battledown Hill remains appreciable, with this unspoilt land rising visibly beyond. Replacing this parkland behind with development will completely eradicate and undermine the significance and appreciation of the villa's historical relationship and siting within its conspicuous topographical setting and wider grounds. We therefore do not agree with the Heritage Statement (4.2.2) that the 'significance of the asset is principally derived from the architectural and special interest of the building...rather than from the wider setting and indeed the Site.' Loss of half of the villa's grounds - which form an important contribution to the original architectural and aesthetic design conception - will adversely affect the significance of the heritage asset. As such, we do not support the application.

Recommendation

Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 131, 134 and 137. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to

have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Historic England - additional comments

15th February 2018

Thank you for forwarding the additional information in the way of rebuttals from CGMS, Architectural History & Conservation (AHS), and the pre-application Conservation & Heritage Consultee Response from the Cheltenham Borough Council (CBC) Senior Conservation Officer.

The information does not alter Historic England's position on this outline application. Despite AHS' assessment of the site which suggests - with reference to J. B. Papworth's published literature on ornamental gardening - that the site was never part of the historic parkland of The Oaklands, it remains, in our opinion, irrevocably a contribution to the rural experience of this country house.

Whilst AHS conclude that the land was never even the intended wider setting for the villa, CGMS' assertion in their rebuttal that 'the Site *does* form a part of the *setting* of the asset, and does make an important contribution to the asset' (my emphasis), highlights disparity between the application's heritage assessments. We consider there needs to be accordance with this fundamental setting assessment in line with paragraphs 128 and 129 of the National Planning Policy Framework.

Additionally, the Cheltenham Borough Council's Senior Conservation Officer asserts that the names 'Oaklands' and 'Woodlands' indicate the building's rural setting and that 'the contribution of the setting to the significance of the building is derived from the visual connection between the large detached country villa and its spacious grounds, part of which is now the site. The building is noted for its architectural and historic interest which warrants its grade II* listing and *can only be understood by seeing it in its open context*' (my emphasis). We manifestly concur with this statement (as well as that referenced from CGMS above) and again highlight that whilst AHS' appraisal focusses on the ornamental improvements to the immediate south of the dwelling (which they consider explicitly excludes the surrounding historic parkland from the setting), this site forms an important contribution to the rural setting and experience of this villa, and therefore to its significance. We maintain that development of this site will harm the legibility of the historic rural setting which this site currently provides.

Whilst it is not Historic England's role to determine the public benefits of a planning application, the authority's ability to provide a five-year housing supply requires an even greater level of benefit to outweigh the harm to the setting of this highly graded listed building. Furthermore, we are aware that Cheltenham Borough Council's Local Plan is soon to be published for consultation which provides an opportunity for alternative sites - where harm to a highly graded listed building may be avoided - to be delivered.

We do not wish to alter our original comments on this application and maintain our objection to the principle of development of this site. In line with paragraph 134, it remains the duty of the planning authority to consider the public benefits offered to outweigh this harm. We remind the authority that less than substantial harm does not equate to a less than substantial objection, and that in line with the Planning (Listed Building and Conservation Areas) Act 1990, your authority shall have special regard to the desirability of preserving this Grade II* building and its setting.

Historic England – final comments

5th June 2018

Thank you for your letter of 30 April 2018 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

We do not wish to offer any further comments on the revised information submitted and dated 27 April 2018 on your website and maintain our objection to the principle of development of this site.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Architects Panel

13th October 2017

Design Concept - The panel had no objection to the principle of a housing development on this site, although it was recognized that no feedback had been received from county highways to assess the suitability of the site access.

Design Detail - Although only an Outline Planning Application, the submitted drawings included a Site Layout, Elevations and 3 dimensional views looking through the site. The panel was not particularly excited by the site layout, the circular road configuration or the orientation of the houses with gable ends stepping down the street. Given the slope of the site it was felt the houses might be better orientated to take more advantage of the southerly views. The housing mix could be more varied and it would be good to see more public open space around which some of the dwellings could be orientated, perhaps picking up on some of the more successful urban plan layouts of Cheltenham.

Recommendation - An application for a site of this importance needs to be fully designed to receive support from the Architects Panel.

Sport England

29th September 2017

Thank you for consulting Sport England on the above application.

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:
www.sportengland.org/planningapplications

If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 74 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:
<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional housing (<300 units) then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Sport England – revised comments

1st May 2018

Thank you for consulting Sport England on the above application.

Sport England has no further comment to make on this particular application. Please refer to our previous responses.

Should you require any further information, please do not hesitate to contact me on the number provided.

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Battledown Trustees

11th September 2017

The land designated for this proposed development does not lie within the Battledown Estate but the Trustees are, nevertheless, submitting a Response since (a) CBC have

specifically designated the Trustees as a Consultee and (b) the land directly adjoins almost the entire length of the Estate's southern boundary and so any development thereon would directly affect a significant number of properties on the Estate.

The Trustees wish to make the following observations and objections to the proposed development:

1. Access: It is important that all parties are aware that no access to this land is, or will be, permitted from Battledown Estate land and that the use of the Estate Roads is prohibited for the purpose of gaining access to the land by any party connected with the proposed development, or any putative residents thereat, either before, during or after the completion of any such proposed development. It is necessary for the Trustees to make this clear to CBC, since various attempts to access the land via the use of Estate Roads have been made by parties associated with the Applicants and these attempts were made using misleading and inaccurate documentation issued by the Applicants solicitors.

2. The Trustees object to this application for the following primary reasons:

a) Significant loss of privacy will be suffered by a considerable number of Estate properties and residents, owing to the proposed positioning of two and three storey dwellings on the land adjoining the Estate boundary.

b) There will be noticeable degradation to the environment of the Estate owing to the significant increase in 'noise pollution' which would be generated by the proposed 100 dwellings, once completed.

c) There will be a material and dangerous increase in the risk of flooding for a number of Estate properties located in Ashley Road. In 2007, several Estate houses including some adjoining the proposed development land, were badly flooded; this situation can only be exacerbated by covering the majority of this land with concrete, tarmac and buildings.

d) In common with many other residents of properties in this area of Charlton Kings, all residents on the Battledown Estate will be affected by the massive and unacceptable increase in traffic which would inevitably result from the building of these proposed 100 dwellings, as such increase in traffic will affect many roads in the area, including Hales Road, London Road, King Alfred Way and Athelney Way --- and the 'knock-on' effect will severely affect and inconvenience many hundreds of local residents in Charlton Kings and the eastern part of Cheltenham. In a nutshell, the local infrastructure and road system is already choked at peak periods and is simply inadequate for the existing number of dwellings, let alone any increase by a further 100 properties.

Battledown Trustees – revised comments

1st March 2018

The Trustees of the Battledown Estate have been notified by Cheltenham Borough Council's Director of Planning that comments relating to the revised information would be welcome from the Trustees.

In this context, we would note that there were some 37 additional documents posted / published on the CBC web-site on 8th February. However, some of these additional documents have now been removed and, for some unexplained reason, the majority have, somewhat surprisingly, now been pre-dated by over one month back to 3rd January.

Having examined the additional documents submitted by the Applicant's advisers, it appears to us that there are a number of debatable and contentious remarks therein; our initial objections submitted on 11 Sept 2017 have not been adequately addressed and there can be no confidence that the problems identified can be effectively overcome.

Battledown Trustees – further revised comments

15th May 2018

Thank you for your letter of 30th April in which you welcome comments from the Trustees relating to the additional information concerning this planning application.

There have now been something in the order of 120 documents generated by the Applicant's advisers and consultants published on the CBC website, most recently on 27th April. One may reasonably assume, therefore, that the total number of pages of submissions will probably run into the many hundreds and possibly thousands. However, none of this tsunami of paperwork can disguise the fact that this development proposal would have a significant and permanently deleterious effect on the borough of Cheltenham. Documents submitted on behalf of the developers are, variously, riddled with disingenuous statements, distortions and errors of fact far too numerous to list in this brief response but many other respondents have already drawn CBC's attention to a few exemplars. The reasons for the Trustees' previous objections remain extant and inadequately addressed -- in particular the significantly increased flood risk for both Battledown properties and other houses in Charlton Kings and also the traffic congestion and road safety issues in Oakhurst Rise and surrounding streets.

In a wider context, it beggars belief that such density of housing can be seriously considered on such an unsuitable site, given the restricted road access, the steep gradient of the site itself and the inevitable rise in the flood risk. It is completely unnecessary to construct the proposed 91 dwellings in this location, as such housing capacity may easily be provided less expensively in a far more sensible environment elsewhere in the Cheltenham area, as demonstrated in the recently published Cheltenham Local Plan and Policies. No amount of verbiage from the Applicants and their consultants can overcome the fact that this development would destroy in perpetuity a valuable resource for athletic sport, our children's health, the educational opportunities for Cheltenham's children and a wildlife and recreational environment enjoyed by innumerable residents of Charlton Kings and the wider Cheltenham community. Once destroyed, this could never be recovered. There is universal objection to this proposal from all Cheltenham residents consulted and thus one would hope that those responsible for planning recommendations and decisions will appreciate that no purpose is served by this proposal other than increasing the wealth of a few, already very wealthy, individuals --- which, we suspect, is not a sustainable basis on which to permit housing developments.

Natural England

11th September 2017

Thank you for your consultation on the above dated 22 August 2017 which was received by Natural England on 22 August 2017.

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

Further information required

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and reconsult Natural England. Please note that you are required to provide a further 21 day period for us to respond.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED)
WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

European/International Sites

No assessment has been provided of the potential impacts that the proposal will have on the Cotswolds Commons and Beechwoods Special Area of Conservation.

There is, therefore, currently insufficient information for you to undertake a Habitats Regulation Assessment of the proposed development. We advise you to obtain the following information:

- A survey for identifying the potential for recreational impacts
- A strategy for mitigating any identified impacts

Recreation has been found as an ecological pathway which is connected to the designated site in question. Further investigation must be sought in order to rule out any likely significant effects on European sites.

Natural England considers that the recreational pressure at Cotswolds Commons and Beechwoods SAC may indirectly affect the interest features for which this SAC is designated.

Residential development may be expected to show an increase in recreational pressure. The combined effects of new housing developments close to the SAC may be the major cause of a material factor to increasing recreational disturbance, with the contribution of individual proposals to the overall effect dependent on their size, proximity and accessibility to the designated sites in question.

Sites of Special Scientific Interest (SSSI)

No assessment has been provided of the potential impacts the proposal will have on the Cotswolds Commons and Beechwoods SSSI.

For advice regarding the above mentioned SSSI, please see advice relating to Cotswolds Commons and Beechwoods SAC.

Green Infrastructure

We would welcome the proposal for allocated Green Infrastructure within the development site.

Natural England advises that any approved scheme should incorporate well designed green infrastructure (GI) to ensure that the development is better able to be accommodated within its landscape setting.

Multi-functional green infrastructure is also important to underpin the overall sustainability of the development by performing a range of functions including flood risk management, the provision of accessible green space, climate change adaptation and supporting biodiversity. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England website.

Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.

Natural England – revised comments

1st March 2018

Thank you for your consultation on the above dated 08 February 2018 which was received by Natural England on 08 February 2018.

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

Further information required

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and reconsult Natural England. Please note that you are required to provide a further 21 day period for us to respond.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS ASSESSMENT 2017

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

Internationally designated sites

Further information required – HRA screening

This proposal has the potential to affect the interest features of the Cotswold Beechwoods Special Area of Conservation (SAC). We therefore recommend that the Local Planning Authority undertakes a Habitats Regulations Assessment (HRA) Screening to establish whether there will be Likely Significant Effects (LSE) as a result of the proposed development.

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations 2017'). The application site is in close proximity to the Cotswolds Beechwoods Special Area of Conservation (SAC) which is a European site. The site is also notified at a national level as Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 62 and 63 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

There is growing awareness of the potential for growth to result in additional recreational pressures on the Cotswold Beechwoods SAC. We are at the start of a process to better understand the nature and scale of these potential impacts, and what action is required. Due to the nature of this issue, we will be working closely with the relevant Local Authorities.

Our collective understanding of the impacts of recreational pressure on the Cotswold Beechwoods SAC is evolving and it is not currently clear what action is required. Planning decisions and Habitat Regulations Assessments (HRA) must be based upon the best available information at the time. Therefore we advise that potential impacts on this European site are considered through the HRA process.

Natural England advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out. We recommend you obtain the following information to help undertake a Habitats Regulations Assessment:

- Consideration of recreational disturbance as a result of the proposed increase in residential units in close proximity to the Cotswold Beechwoods SAC, alone or in combination with other developments.

Natural England notes the revised information that has been submitted by All Ecology on 3/1/18, regarding information for a Habitats Regulations Assessment.

Sites of Special Scientific Interest (SSSI)

For advice regarding the Cotswolds Commons and Beechwoods SSSI, please see advice above relating to European sites.

Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

On receipt of the information requested, we will aim to provide a full response within 21 days of receipt. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal on the basis of potential harm to the above designated site.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our Discretionary Advice Service.

Natural England – further revised comments

26th April 2018

Thank you for your consultation on the above dated 05 April 2018 which was received by Natural England on 05 April 2018.

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

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)
THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017
SUMMARY OF NATURAL ENGLAND'S ADVICE
FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON COTSWOLDS
BEECHWOODS

As submitted, the application could have potential significant effects on Cotswolds Beechwoods. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Consideration of recreational pressure on the Cotswolds Beechwoods, including a strategy to alleviate pressure.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's advice on other issues is set out below.

Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features.

European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations 2017'). The application site is in close proximity to the Cotswolds Beechwoods Special Area of Conservation (SAC) which is a European site. The site is also notified at a national level as Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have [1]. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

[1] Requirements are set out within Regulations 62 and 63 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 62 and 63 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process.

This can be found on the Defra website.

<http://www.defra.gov.uk/habitatsreview/implementation/process-guidance/guidance/sites/>

Objection/Further information required

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.

Your assessment concludes that your authority is able to rule out the likelihood of significant effects arising from the proposal.

On the basis of information provided, it is the advice of Natural England that it is not possible to conclude that the proposal is unlikely to result in significant effects on the European sites in question.

Natural England advises that the assessment currently does not provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage. Where there is a likelihood of significant effects, or there are uncertainties, a competent authority should undertake Appropriate Assessment, in order to assess the implications of the proposal in view of the conservation objectives for the European wildlife site(s) in question. Natural England therefore advises

that an Appropriate Assessment should now be undertaken, and the following information is provided to assist you with that assessment.

Additional Information required - Cotswolds Beechwoods

- Mitigation strategy to show how recreational impacts on the Cotswolds Beechwoods can be reduced

Recreation has been found as an ecological pathway which is connected to the designated site.

Natural England considers that recreational pressure at Cotswolds Beechwoods may indirectly affect the interest features for which both of this SAC is designated.

The combined effects of new housing developments close to the SAC may be the major cause of a material factor to increasing recreational disturbance, with the contribution of individual proposals to the overall effect dependent on their size, proximity and accessibility to the designated sites in question.

It is noted that open space has been proposed with the development; however the proposed open space is not considered sufficient to offset the impacts of recreational pressure on the Cotswold Beechwoods. Natural England would recommend that mitigation measures for this development should incorporate the use of strategic Green Infrastructure (GI), to help alleviate the recreational pressure, and that awareness of this recreational pressure is highlighted to new residents.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Green Infrastructure (GI) and Discretionary Advice Service (DAS)

Natural England advises that any approved scheme should incorporate well designed green infrastructure (GI) to ensure that the development is better able to be accommodated within its landscape setting. Multi-functional green infrastructure is also important to underpin the overall sustainability of the development by performing a range of functions including flood risk management, the provision of accessible green space, climate change adaptation and supporting biodiversity. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England website.

Natural England would very much welcome a conversation about how Green Infrastructure could be incorporated into the proposed development; the benefits and opportunities could have a very positive impact on the local community and surrounding area.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Other advice

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

If you have any queries relating to the advice in this letter please contact me on 0208 2256403.

Please consult us again once the information requested above, has been provided.

Annex A

Natural England offers the following additional advice:

Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's Technical Information Note 049.

Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced standing advice² to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Priority habitats and species

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#).

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species is considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland and veteran trees-link to standing advice

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England maintains the Ancient Woodland Inventory

which can help identify ancient woodland. Natural England and the Forest Commission have produced standing advice for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to contribute to and enhance biodiversity and the local environment, as outlined in paragraph 109 and 118 of the NPPF. We advise you to consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraph 75 of the NPPF highlights the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making.

Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Natural England – final comments

14th May 2018

Thank you for your consultation on the above dated 30 April 2018 which was received by Natural England on 30 April 2018

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

SUMMARY OF NATURAL ENGLAND'S ADVICE FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Cotswolds Beechwoods SAC. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Mitigation strategy to show how recreational pressure on Cotswolds Beechwoods SAC can be reduced

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's advice on other issues is set out below.

Further Information required - Cotswolds Beechwoods SAC

Natural England previously responded to this application on the 25th April 2018 and advised that further information was needed to rule out likely significant effects on the Cotswolds Beechwoods SAC. The advice provided in our previous response still stands; recreational pressure on the Cotswolds Beechwoods from increased residential development should be considered.

Natural England notes that the site layout has been revised. However, the open space provided within the proposed development is not considered sufficient to offset the recreational pressure on the Cotswolds Beechwoods SAC.

Please refer to Natural England's previous response, dated 25th April 2018, our reference 243562, for further guidance.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

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

If you have any queries relating to the advice in this letter please contact me on 0208 2256403.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

CBC Environmental Health

3rd October 2017

With respect to this application I have no adverse comment to make.

Severn Trent Water Ltd

8th September 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.

CBC Housing Strategy and Enabling

2nd October 2017

Indicative Level of Affordable Housing Provision

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

Based on a scheme of approx. 100 residential units we would be seeking 40% affordable housing (approx. 40 affordable housing units).

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

Dwelling Mix

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

40%	Affordable Rented	Intermediate (s/o)	Total	%
1B 2P Flat	0	0	0	0 %
2B 4P Flat	10	6	16	40 %

3B 5P House	16	4	20	50 %
3B 6P House	2	0	2	5 %
4B 7P House	2	0	2	5 %
Total	27	9	36	100 %

Dwelling Mix/Tenure

The 75:25 split between affordable rent and intermediate housing is required on this site for the affordable housing provision. The intermediate housing should be shared ownership and we have proposed this as a mix of dwelling types as this best meets local needs.

Rents

Affordable rents must not exceed the Local Housing Allowance.

Service Charges

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

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

Shared Ownership

We would expect that the shared ownership units will be let at a level that is affordable, having regard to local incomes and house prices.

Car Parking

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

Affordable Housing Standards

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

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

All general needs accommodation should be designed to meet the 2015 amendments of M4 (1) Building Regulations 2010.

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

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

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

Full Planning Application

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

Registered Providers

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

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

CBC Housing Strategy and Enabling – revised comments

19th June 2018

The Joint Core Strategy Policy (SD12) states that ‘on sites of 11 dwellings or more, or sites with a maximum combined gross floor space of greater than 1000 sqm; a minimum of 40% affordable housing will be sought with the borough of Cheltenham’

This application will comprise of 91 residential units. Therefore at 40% we will be seeking 36 affordable housing units (and will be discussing seeking the 0.4 as an affordable housing contribution).

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

Dwelling Mix

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

40%	Affordable Rented	Intermediate (s/o)	Total	%
2 Bedroom 4P Flat	14	4	18	50 %
3 Bedroom 5P House	11	5	16	44 %
3 Bedroom 6P House	1	0	1	3 %
4 Bedroom 7P House	1	0	1	3 %
Total	27	9	36	100 %

Housing Demand / Supply

The mix above is based on what was proposed in the original planning application which accounts for the lack of one bedroom accommodation in this area, however this mix meets a clear need for affordable family sized accommodation in this area.

As of June 2018 there were 2,365 households on Homeseeker Plus of which 1,066 households are in need of family accommodation and 391 of these have specifically selected an area of preference to Charlton Kings.

There is currently very limited availability and a low turnover of social housing properties within the Charlton Kings area (estimates are of approx.188 social housing properties).

Viability

The Joint Core Strategy states that where there is an issue relating to the viability of development that impacts on delivery of the full affordable housing requirement, developers should consider:

- Varying the housing mix and design of the scheme in order to reduce costs whilst having regard to the requirements of other policies in the plan, particularly Policy SD4, and the objective of creating a balanced housing market.

- Securing public subsidy or other commuted sums to assist delivery of affordable housing

If a development cannot deliver the full affordable housing requirement, a viability assessment conforming to an agreed methodology, in accordance with Policy INF6 will be required. Viability assessments will be published in full prior to determination for all non-policy compliant schemes except in exceptional circumstances when it can be proven that publication of certain specific information would harm the commercial confidentiality of the developer to no public benefit. Where necessary CBC will then arrange for them to be independently appraised at the expense of the applicant.

The council considers that information submitted as a part of, and in support of a viability assessment should be treated transparently and be available for wider scrutiny. In submitting information, applicants should do so in the knowledge that this will be made publicly available alongside other application documents.

The council will allow for exceptions to this in very limited circumstances and only in the event that there is a convincing case that disclosure of an element of a viability assessment would cause harm to the public interest to an extent that is not outweighed by the benefits of disclosure. Given the significant benefits associated with the availability of information to the public as part of the decision making process, and the other factors identified above, the councils anticipate that there would be very few exceptions.

If an applicant wishes to make a case for an exceptional circumstance in relation to an element of their assessment, they should provide a full justification as to the extent to which disclosure of a specific piece of information would cause an 'adverse effect' and harm to the public interest that is not outweighed by the benefits of disclosure. The council will consider this carefully, with reference to the 'adverse effect' and overriding 'public interest' tests in the EIR, as well as the specific circumstances of the case.

The viability of a site may enable additional levels of affordable housing to be delivered above the requirements set out in the Joint core Strategy. In this case the authority will negotiate with developers to find an appropriate balance to deliver affordable housing and infrastructure needs.

Dwelling Mix/Tenure

The 75:25 split between affordable rent and intermediate housing is required on this site for the affordable housing provision. The intermediate housing should be shared ownership and we have proposed this as a mix of dwelling types as this best meets local needs.

Where possible, affordable housing should be provided on-site and should be seamlessly integrated and distributed throughout the development scheme.

The design of affordable housing should meet required standards and be equal to that of market housing in terms of appearance, build quality and materials.

Rents

Affordable rents must not exceed the Local Housing Allowance

Service Charges

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

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

Shared Ownership

We would expect that the shared ownership units will be let at a level that is affordable, having regard to local incomes and house prices.

Provision should be made, where possible to ensure that housing will remain at an affordable price for future eligible households, or that subsidy will be recycled for alternative housing provision.

Car Parking

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

Affordable Housing Standards

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

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

All general needs accommodation should be designed to meet the 2015 amendments of M4 (1) Building Regulations 2010.

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

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

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

Full Planning Application

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

Registered Providers

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

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

Gloucestershire Badger Trust

19th September 2017

The Badger Trust (Glos) has recently been consulted on this application.

General Background Information

NPPF - Planning Policy

The likelihood of disturbing a badger sett, or adversely affecting badgers foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions.

The loss of foraging habitat could also be considered as cruel treatment of badgers. Main roads may prevent badgers from accessing their setts. Severance of territory and pathways may also result in road casualties and potential traffic accidents.

Legal Protection

Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it a criminal offence to kill, injure or take badgers or to interfere with a badger sett.

Under the Act it is a criminal offence to:

- Intentionally or recklessly damage, destroy or obstruct access to a badger sett or any part thereof
- Intentionally or recklessly disturb a badger when occupying a badger sett

Land Adjacent To Oakhurst Rise, Cheltenham, Gloucestershire

Comments on the preliminary survey works on site

We are concerned to hear from local residents that intrusive surveys were carried out on site in January and February 2017. These involved the use of heavy plant and equipment in close proximity to the badger sett and appear to have been without the necessary statutory consents in place to do so.

We understand the intrusive survey works close to the main sett were we reported to Gloucestershire Constabulary and Natural England.

The main sett was not damaged and remains active. We are now monitoring this sett and treating it as one at high risk of further disturbance.

The Application

Application number 17/00710/OUT provided an ecological appraisal prepared by All Ecology in September 2016. This appraisal identified the presence of the large main sett on the site and we note it mentions a confidential badger survey was prepared, we have not seen details of this.

The loss of foraging habitat for a local group of badgers may cause knock-on issues for nearby residents with changes in badger activity. So it is therefore important to check thoroughly to see how badgers may be displaced by any development as extensive as outlined in this application.

We note that All Ecology propose to close the main sett and rehouse the badgers elsewhere on site.

Proposing to close a longstanding main sett and remove a major part of the badger group's foraging territory at the same time will inevitably disturb the badgers at this site to the extent that they could not realistically continue to inhabit the site.

Artificial setts are rarely successful. Dispersal of badgers will inevitably result in them creating new setts elsewhere, which could well include in residential gardens and on commercial/public properties.

This application illustrates the relocation of badgers is an expensive and time consuming process. It can also have the potential to depreciate the value of surrounding properties. As a result of this Badger Trust Gloucestershire recommends that, should consent be granted, it must be on condition that a bond be given or some kind of indemnity insurance be taken out by the applicant to cover the cost of any appropriate mitigation works relating to badgers incurred by any third party within one mile of the site as a result of displacement, for a period of at least 5 years from completion of the development or until it can be proven from regular site surveys that the badger group are again settled.

Development on this site would cause a comprehensive loss of foraging territory and the badgers will be forced to forage further afield crossing roadways as they do so. This would bring them into conflict with vehicles in the vicinity and presents both a danger to the badgers and to the local residents driving at night.

The loss of trees on site will also be a further loss of the vital habitat for the badgers forcing a change in their behaviour as they search for new green spaces and wildlife corridors. It is very difficult to predict these changes particularly when All Ecology is only providing advice based on an outline site development plan. Site density, flood alleviation schemes, traffic calming measures and protection of the historical features may significantly squeeze the areas available for the badgers.

Access to drinking water at the pond at the northern point of the site is also critical for badgers and must be maintained at all times, if consent granted. Attention must also be given to contamination of the pond during construction and mitigation put in place to prevent it.

This site is highly unusual as it appears to have been undisturbed by development for several hundred years. Badger setts have been known to be centuries old and this sett could easily be one of them. In which case we would support the creation of an SSSI to protect this sett as a significant and historic feature of the landscape.

Any development on the site must allow clear and appropriately sized wildlife corridors to allow both continuity of occupation of existing wildlife and transit from this area to new foraging areas. This would apply to all mammal species such as hedgehogs, foxes as well as badgers and other mustelid species.

Badger Trust Gloucestershire objects in principle to this application as the inherent loss of wildlife habitat and 'green space' cannot be easily or economically mitigated whatever consent is given, and that best course of action would be to refuse consent.

Good Practice during construction (if consent is granted)

We would recommend a Method Statement for the construction work would include the following:

Create an appropriate buffer between the works and the sett.

Current standing advice does not stipulate distances from occupied setts at which licensing is or is not likely to be required, but it indicates that one should be satisfied that an activity is not likely to disturb a badger before carrying it out. To assist in that decision making process, reference is often made by developers to former guidance issued by English Nature (now Natural England) which indicated that licensing was likely to be necessary, or should be considered, when using heavy machinery within 30m of a badger sett, lighter machinery (generally wheeled vehicles) within 20m, and for light work such as hand digging or scrub clearance within 10m.

Security fencing should be kept away from the setts so access for the badgers is not impeded, any works fencing should not impede the entrance/exit points of the badger or

their primary paths at any time. Badger access points must be created under both temporary and permanent fencing.

The badgers will be using this site for regular access to the pond, so it is important that any buffer or security fences enable this access to continue any works on site.

Implement site speed limits/reduce traffic flow in the vicinity of the sett, if appropriate.

Badger sett & path advice to be included in the construction method statement including clear instructions regarding the protection of the badger setts to the on-site contractors. Good working practices need to be employed by the developers and contractors.

Materials and chemicals should be stored well away from the setts (over 30m) and water courses and any site compounds should be fenced to ensure that no badger can obtain access.

Should any trenches need to be left open overnight a means of escape should be provided such as a suitably placed plank of wood.

Use of heavy machinery within 30m of the badger sett should be kept to a minimum (licence may be required) Machinery should not be left idling within the vicinity of the sett to minimise vibration and exposure to exhaust fumes.

No night work (badgers are nocturnal).

Long Term important considerations for this and any subsequent planning amendments

Boundary treatment

Access for badgers from setts into surrounding land and to the water courses should not be blocked or restricted in any way. If any new fencing is required, it should incorporate badger gates or large enough gaps for badgers to pass underneath easily. There should be a restrictive condition on consent that no close-boarded or other kind of fences impenetrable to wildlife should be allowed on this site.

Greenspace

It is advised that Badger Trust Gloucestershire is consulted regarding the landscaping across the rest of the site in order to maximise site connectivity for wildlife and the provision of supplementary foraging through appropriate planting. In particular the badgers should have access to the nearby fields and streams. They will be forced to forage further afield across roadways if this development proceeds. So incorporating crossing points via road tunnels would be best practice.

Prior to decisions on boundary treatment/landscaping/land profiling a badger specialist should be consulted in order to ensure permeability of the site and retention of essential corridors. This is particularly important in view of loss of foraging space which this large development removes.

Surveys

It is recommended that regular annual surveys are carried out of the badger population at this site for at least 5 years or until it is possible to demonstrate that they are once again settled in their new habitat.

Gloucestershire Badger Trust – additional comments

3rd March 2018

Please refer to the comments which were lodged on the 19th September 2017 by the Badger Trust Gloucestershire. These comments all still apply. The Badger Survey

prepared by All Ecology was updated in November 2017 to reflect design changes to the scheme. No further field surveys have taken place by All Ecology since the original survey visit in November 2016.

Parish Council

12th September 2017

Further to the CKPC Planning Committee meeting of 4/9/17, we object to the above application with the following concerns:

Environmental

Members of the public have raised concerns over the environmental impact of the proposed development with concerns raised over the many mature trees, including large oaks, on the site and how many of them are protected or not protected. There are long established hedgerows on the site and the low intensity of use and cultivation has made the site a haven for wildlife including a well-established badger sett.

Heritage

The development would have a significant impact of the setting of the listed buildings of the St. Edwards site

Drainage & Flood Risk

A member of the public reported that a previous application in 1984 for this site for a three-acre scheme was objected to by Severn Trent on the grounds that the existing sewer system in the area had inadequate capacity for the additional volumes that would be generated. It was unclear whether this objection related to foul or surface water.

The geotechnical report in the application confirms that the underlying ground is impervious and will allow for no infiltration of surface water, i.e. that surface water cannot be managed by soakaways, and that all surface water will have to be attenuated to prevent exacerbating downstream flood risk from the existing surface water system.

Local facilities

Local public services are already under strain. All the local primary schools in the Parish and both Balcarras (in the Parish) and Pittville (the next nearest secondary outside the Parish) Schools are oversubscribed. The GP Surgeries at Sixways and Berkeley Place are reported as already having substantial waiting times. This development should not proceed without sufficient developer contribution to ameliorate the impact of increased demand on these services from the resultant population increase. Failure to provide sufficient additional capacity in these local services would make this Application detrimental to the quality of life of the existing residents of the Parish and make severely limit the availability of the services to the residents of this proposed development.

Transport & Access

The access to the area via Oakhurst Rise is not suitable. The Committee would urge Officers and Members of the CBC Planning Committee to assess for themselves the length and severity of the slope to the top of Oakhurst Rise. This climb to the site would greatly limit the proportion of journeys that would be undertaken to or from the site by foot or bicycle, even to local facilities, preventing meaningful levels of sustainable transport.

Concerns were raised that the figures stated in the application documents for distances to local amenities such as Holy Apostles School are incorrect.

It is reported that during icy weather and snow the residents of Oakhurst Rise have to leave their cars parked at the bottom of Oakhurst Rise and around the Ewens Farm estate due to

the severe risk of slipping and causing injury and / or damage. Such arrangements would clearly be impractical for the cars from a further 100 dwellings.

The forecast volumes of traffic to be generated by the development forecast are unrealistically low. A common-sense estimate of volumes may be an average of two cars per household each morning and evening. The Committee would suggest that CBC commission an independent forecast / modelling of potential traffic flows to and from the site to better assess the impact on existing residents and the road network (particularly the flows through Ewens Farm and the junctions onto London Road and Hales Road.

Lastly, and most significantly, the impact on the quality of life of the existing residents of Oakhurst Rise would be quite simply unreasonable. Those residents currently live in a quiet cul-de-sac. Their relatively narrow street will be transformed into a through route for all the movements of the residents of another one hundred dwellings and all associated deliveries to those properties. The National Planning Policy Framework clearly lays out a presumption in favour of Sustainable Development. Cl. 9 of the NPPF states:

‘Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

‘improving the conditions in which people live, work, travel and take leisure.’

This application can in no way improve the conditions in which the existing residents of Oakhurst Rise live, and fails to provide any realistic access to sustainable transport for residents of the proposed development.

Parish Council – additional comments

1st March 2018

Further to the CKPC Planning Committee meeting of 19/2/18, the additional detail and revisions have in part addressed our previous objections, and in part clarified areas of objection that remain unaddressed. The Committee objects to the proposal on the following grounds:

Environmental

The revisions to the scheme claim to be reducing the amount of damage to the hedgerows and mature trees. However, such that remain will in part be the boundaries to domestic properties. How will these be maintained and protected in the future in the context of domestic gardens. If the mature trees are located in gardens they will be too large for such an environment and there will be future pressure to cut back or fell them.

The issue of the existing badger setts has been addressed, but in relocating the badgers to a new artificial sett the badgers will be brought into conflict with the existing surrounding and new householders as the existing foraging area will have been turned into housing, hard surfaces and gardens. How are the re-located badgers to forage the area during the construction period.

Heritage

The development would have a significant impact of the setting of the listed buildings of the St. Edward fs site. Previous objection not addressed.

Drainage & Flood Risk

With the reports from Severn Trent and the proposed attenuation system these concerns appear to have been addressed although we have no means of checking the calculations and hence the sizing of the system. In addition, in storm conditions permeable hard paving has a limited rate of intake and so, given the severity of the gradients to the site, we remain unconvinced that the permeable hardened areas will prevent run-off to lower lying areas.

Local facilities

Local public services are already under strain. All the local primary schools in the Parish and both Balcarras (in the Parish) and Pittville (the next nearest secondary outside the Parish) Schools are oversubscribed. The GP Surgeries at Sixways and Berkeley Place are reported as already having substantial waiting times. This development should not proceed without sufficient developer contribution to ameliorate the impact of increased demand on these services from the resultant population increase. Failure to provide sufficient additional capacity in these local services would make this Application detrimental to the quality of life of the existing residents of the Parish and make severely limit the availability of the services to the residents of this proposed development. Previous objection not addressed.

Transport & Access

The access to the area via Oakhurst Rise is not suitable. The Committee would urge Officers and Members of the CBC Planning Committee to assess for themselves the length and severity of the slope to the top of Oakhurst Rise. The average gradient on Oakhurst Rise is 1 in 11.7 (By comparison, Harp Hill is an average of 1 in 11.9) This climb to the site would greatly limit the proportion of journeys that would be undertaken to or from the site by foot or bicycle, even to local facilities, preventing meaningful levels of sustainable transport. Concerns were raised that the figures stated in the application documents for distances to local amenities such as Holy Apostles School are incorrect.

It is reported that during icy weather and snow the residents of Oakhurst Rise have to leave their cars parked at the bottom of Oakhurst Rise and around the Ewens Farm estate due to the severe risk of slipping and causing injury and / or damage. Such arrangements would clearly be impractical for the cars from a further 100 dwellings.

The forecast volumes of traffic to be generated by the development forecast are unrealistically low. A common-sense estimate of volumes may be an average of two cars per household each morning and evening. The Committee would suggest that CBC commission an independent forecast / modelling of potential traffic flows to and from the site to better assess the impact on existing residents and the road network (particularly the flows through Ewens Farm and the junctions onto London Road and Hales Road.

Previous objection not addressed

Loss of Amenity to surrounding residents

Lastly, and most significantly, the impact on the quality of life of the existing residents of Oakhurst Rise would be quite simply unreasonable. Those residents currently live in a quiet cul-de-sac. Their relatively narrow street will be transformed into a through route for all the movements of the residents of another one hundred dwellings and all associated deliveries to those properties. The National Planning Policy Framework clearly lays out a presumption in favour of Sustainable Development. Cl. 9 of the NPPF states:

‘Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

‘improving the conditions in which people live, work, travel and take leisure.’

This application can in no way improve the conditions in which the existing residents of Oakhurst Rise live, and fails to provide any realistic access to sustainable transport for residents of the proposed development.

Previous objection not addressed

Parish Council – additional comments

21st May 2018

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Further to the CKPC Planning Committee meeting of 14/5/18, we object to the above application with the following comments:

The revisions to the Application from when it previously came to the Committee (14/9/17) do not address our previous concerns, as stated below.

In addition to those previous comments we note that the Barton Hyett Associates Arboricultural Review of the proposals suggests that the proposed development substantially under-estimates the impact on the trees on the site, including trees with TPO's, with the locations of trees being mis-recorded, their size under-measured and the required Root Protection Zones under-calculated. While the Committee is not qualified to assess which approach to the classification of trees and calculation of their Root Protection Areas is correct, this report does support and reinforce concerns previously raised by the public.

With respect to flooding concerns we also note the further objections from the Cheltenham Flood & Drainage Panel. The proposal does contain an attenuation system, but we have not found details of how it would be managed & maintained in the future. While the Committee is not qualified to check the adequacy of the proposed design, without such a management strategy in place it will not be effective in the long term.

The Residential Travel Plan is based on the premise that 'The local accessibility of the site meets the bottom tier of the pyramid as it is accessible by walking and cycling, and is within close proximity to a range of local services and amenities'. Since this is patently incorrect, the document's conclusions are similarly incorrect. The Committee understands that it has been suggested that the CBC Planning Committee site visit is organised so that the members of the Committee walk the route to assess the viability of pedestrian access at first hand. CKPC Planning Committee whole-heartedly support this call and would suggest that walking from the Sixways public car park, adjacent to the Doctor's Surgery, would be a good assessment of the viability of pedestrian or bicycle use to and from the site.

Lastly, we reiterate our objection on the grounds that the impact on the quality of life for the existing residents of Oakhurst Rise is quite simply unacceptable. Sustainable Development is meant to have a positive impact on peoples' quality of life. This application would, beyond any reasonable doubt, have the opposite effect.

CBC Trees Officer

2nd October 2017

The CBC Tree Section cannot support this application in its current form.

The site could be described as a tranquil semi natural oasis of green close to the town centre. It has been subject to 'light touch' management by the school in recent years. Many of the trees in the site are preserved by a TPO, the majority of which are native oak. It is noted that there are several trees which were protected but no longer exist and indeed there is an 'Area' (A3) where there are few of the protected trees that remain. It is not clear what was the cause of these tree's demise.

Whilst it is welcome that the majority of trees subject to formal TPO protection are to be retained and efforts have been made to accommodate them during the design process, it is considered that

- 1) too many trees are shown as proposed to be removed,

2) too many instances where trees to be retained will likely not sit comfortably in their new setting because of their potential disproportionate influence on proposed occupant's new garden areas

3) There are likely to be inappropriate construction works close to retained trees.

For clarity the following clarifications and recommendations should be made so as to address the above concerns:

1) Clarification of retained trees and trees to be removed:-it would be helpful for all if drawings could be produced which show precisely which trees are earmarked for complete removal and which are to be retained. It can be confusing that tree numbers referred to within the TPO are not the same as those within the BS5837(2012) tree survey. It would also be helpful if trees to be reduced in size were also marked and the shade analysis shown on the plan (as per Tree Protection Plan Drawing of July 2017). Such a bespoke Tree Retention/Removal Plan drawing would clearly demonstrate this for all. It would also be helpful if the site could be marked up so that the actual footprint of proposed buildings/roads in relation to existing trees/other existing significant landmarks could be easily demonstrated to all.

2) Whilst Trees Officers' previous comments have been considered during and plans adapted during conversations at the Pre-app phase of this application, Trees Officers consider that the value of trees T13+14 (trees 10+11 of the TPO) are so high that they should be considered a significant constraint on the site and as such should be retained. The trees have been given an A3/B3 and B3 grade and as such should be considered as trees of high/moderate value as per BS5837(2012).

3) It appears as though many trees within the site have not been formally surveyed-these trees primarily relate to those contained within the 'central' north-south hedgerow which bisects the site. Many of the larger trees within this hedge line are ash trees. Whilst they may currently be in good biological health, their longer term future life potential is likely to be limited as a result of *Chalara fraxinifolia* (ash dieback). It is sadly assumed that most of these trees will likely be dead or in poor condition within the next decade. Trees Officers have noticed the presence of *Chalara* elsewhere in Cheltenham. However there are several oak within this hedge line which could be of value as a group and their presence needs to be taken account of during the design process. It would be worth considering whether there are trees elsewhere which may have greater value as a group than as individual trees. It would then be easier to value their retention. Several references have been made to the presence of 'Ancient Oaks' within this BS survey. It is commonly understood that for a tree to qualify as an 'ancient tree' it should be considered old in comparison with other trees of the same species, have started to retrench (die-back of the outer crown) and likely to have a hollow trunk etc. Trees Officers consider it may be more appropriate to label many of the trees within this site as 'Veteran Trees' 'not as old as ancient trees but bearing the 'scars' of ancient trees. Such trees are of high amenity, ecological and arboricultural value. Consideration for removal should only be considered as a last resort and suitable mitigation should be planned. It is unclear why trees T13 + 14 are shown as to be removed. They have also been considered as being of 'moderate' potential for roosting bats.

4) The central north-south hedge line is considered to be 'important' as described within the All Ecology Hedgerow Assessment of 2017. There are other smaller/younger oak trees within this hedge line which have not been described within the BS5837 survey (see above). Whilst it is appreciated that much of the southern end and some of the northerly end of this dense hedge line has been shown as to be retained, a significant proportion of it is shown as to be removed. The impact of this and any lost amenity has not been adequately described. It is not easy to comment on mitigation for the potential loss of this section of hedge line and other lost trees. It is beyond the scope of the application to describe in detail tree planting strategies. Whilst a Landscape Strategy has been submitted

(MHP Drawing no 16087.101 Rev A) and the overall thrust of the proposals are acceptable, there is little detail. It is not unreasonable to assume that should this development proceed, the future life expectancy of retained mature trees will be shortened. Few existing young trees are shown as retained. As such there will be a reliance on new planting to replace the oak as they become necessary to fell. New, ultimately large trees will take several decades to mature. There appears to be few appropriately sized locations for such trees to grow into their usual proportions.

5) Where trees and hedges are to be retained, there is no detail of what form their retention will take- ie what will be the experience of the end user of such areas. Currently there are several areas of dense bramble and undergrowth. It is assumed that such areas will be 'cleared' and made more useable. However detail must show what (if any) trees are also to be removed as a part of this process. Again, whilst such detail may be outside the parameters of this application, such consideration should be made at the design stage so that as successful site as possible can be developed.

6) There are instances where the retention of trees and the building of properties adjacent is optimistic and will likely lead to any future occupiers not fully enjoying the large tree adjacent. Whilst buyers will be aware of the presence of large trees adjacent, they may not fully appreciate all the implications associated with the presence of a large tree in terms of shade cast, leaf, twig fruit flower etc litter as well as feelings of nervousness which a tree/limb/branch failure may create whilst considering whether to purchase the property. Such an oversight can lead to subsequent requests/demands for inappropriate pruning/removal which this council may find unreasonable to refuse. There appears to be an uneasy relationship between trees and potential plots 68, 69+ 70. It is unclear which of the existing 4 oak are to be retained. It appears as though it is the 2 most easterly of these trees are to be retained. There is also a 'pond'/waterlogged area under the canopy and adjacent to the trunk of T19. It is unclear if this is to be retained within the proposed plot or if there are plans to create drainage in this area. A plan to create drainage must be full described within a Method Statement taking full account of adjacent tree roots. However this large tree may be likely to draw water from this pond and as such attempts should be made to retain it. If adjustments were made to the design of the development, successful boundary treatment could be achieved through the retention of trees in this area (albeit with reduced plot numbers). Plots 87+88 will also be subject to significant shade from trees to the south which would be out of the control of the occupant. Plots 7, 8 and 9 could also be under significant amounts of shade when the trees are in leaf. There is a similar scenario around plots 35, 36 + 38 (and adjacent garages). If trees 13 + 14 were retained (as described above), and plot design/density reconsidered, these trees could be retained.

7) There are many instances of drainage incursion into the Root Protection Areas of retained TPO'd trees. This appears to be the case around T's (of the BS Survey) 3, G1, 19, 32 and 45. This is not acceptable as it would likely lead to significant damage to tree roots. It is noted that there are no details submitted of gas, fresh water or electricity provision and any routes that such service provision might take.

8) Many of the trees earmarked for retention are shown as being subject to retrenchment pruning (ie crown reduction). Whilst such pruning techniques are considered to be of good arboricultural practice in terms of reducing the risk of stem breakage and the development of an inner crown which can lead to an increase of the anticipated lifespan of large trees such as oak, there also a presumption that adjacent owners of trees will also be content to submit their trees to such a practice (see para C1.2 of the Arboricultural Method Statement). Whilst such a practice of significant crown reduction can prolong a tree's life, it can lead to the reduction of the visual amenity a tree provides. Such retrenchment pruning should only be considered if there is an overwhelming need in terms of the trees health as well as the experience of the end user. Clarification should be made as to whether such a reduction is 4 metres (as per the tree protection Plan) or 5 metres (as per the Arb Implications Assessment), or whether a more bespoke retrenchment programme is

recommended firstly considering each tree on its own merits (i.e. its likely response to such pruning), the degree of necessity, suitable reduction points etc.

9) Details of Landscaping proposals are outside the remit of this application. However the overall thrust of the submitted planting scheme is welcome. It is pleasing that the suggested overwhelming majority of planting around the boundary and within open spaces is of native species. However it is noted that the planting of bay laurel is incorporated into this planting mix. Such an invasive and ecologically unfriendly species must be avoided. The palette of trees for within garden areas is also welcome, though care must be made regarding the location of each species-some of the chosen species can become quite large and cast dense shade and/or heavy leaf/fruit fall (*Corylus colurna*, *Ginkgo biloba*, *Betula pendula*, *Pyrus chanticleer*). The proposed new near continuous planting near the perimeter of the site (recommended within the hedgerow survey) is welcome.

To summarise, this is currently a tranquil natural setting for large veteran trees, most of which are in good condition. There are also many mostly younger ash trees dominant primarily within a hedge line running north-south. Due to the arrival of ash die-back, the future of such trees is uncertain. However much mitigation in terms of soft landscaping is proposed, the nature of this site will utterly change should permission be granted.

Whilst much care has been made to retain most of the important/valuable trees, there are instances where sufficient space has not been created for retained trees' future setting. There are also instances where construction/engineering works are proposed too close to such trees. Trees Officers consider that whilst attempts have been made to successfully retain TPO'd trees, there are several instances where housing density is too much adjacent to such trees. Whilst drainage engineers have made attempts to stay out of Root Protection Areas, there are instances of unacceptable incursion into such RPA's.

CBC Tree Officer – revised comments

8th March 2018

Following the most recent re-design of parts of the site (Site Layout Drawing no PL005 C) and providing various clarifications and modifications can be made and agreed upon, the CBC Tree Section no longer objects to this application.

All bar two of the existing TPO protected trees are to be retained as well as others which are not subject to a TPO. Whilst many trees and scrub/hedgerows are proposed to be removed, it is considered that the new tree planting as mitigation for this area of this area of land will address lost quality canopy cover into the future. Whilst such new planting will take time to establish and become of significant visual amenity, the proposed tree species and size details submitted, with proposed modification seem appropriate and for the good in the longer term and should make for a canopy-rich development.

It is apparent that there are many quality veteran/ancient oak all of which are over 100 years old and are spread primarily on the boundaries throughout the site. Other trees within the site are of lesser quality (individually) or under an immediate threat from disease. However it could be said that collectively these proposed removed trees have cohesive value in such a setting and certainly contribute to the current tranquil nature of the site. It is not considered that such trees constitute ancient woodland. Given that the majority of other trees are common ash trees, their long term viability are perceived to be threatened as a result of ash dieback (*Chalara fraxinifolia*). The degree of such a threat is not yet clear and the perception of degree of resistance death/dieback of such trees and the speed of impact has not been confirmed mostly as a result of *Chalara's* relative recent presence in this country. However, as stated previously, even with the anticipated prompt establishment of the proposed new tree planting, the ambience of this site will change dramatically with this proposal and consequences. The introduction of many new species (both native and exotic) will help fortify existing tree cover into the future.

There is no current formal routine public access allowed onto the land. As such the visual amenity of most trees is limited to those who live adjacent. The proposed development would change this and such public enjoyment of retained trees will increase (albeit in very different circumstance from the existing atmosphere).

Veteran trees have not been classified as per BS5837 (2012) recommendation where veteran trees should have an automatic A3 classification. Similarly their Root Protection Areas do not conform to the Woodland Trust and Ancient Tree Forum recommended areas equivalent to an area described as a circle of 15 (as opposed to 12 in BS5837 (2012)) times the diameter of a tree or 5 metres from the edge of the canopy. Indeed such recommendation of no hard surfacing within BS 5837 (2012) para 7.4 recommends that no construction occurs within a RPA. In this application there are several such incursions into the RPA. However, assuming:

- 1) prescribed tree protection is respected during construction,
- 2) the apparent good vitality of existing ancient trees recommended for retention remains,
- 3) the relative nature of the minor encroachment into RPA's,
- 4) canopy retrenchment proposals stimulate inner canopy growth,
- 5) recommended arboricultural supervision is undertaken at appropriate instances;
it is considered that such proposals should not have a significant negative impact on the trees.

Whilst 2 TPO'd trees are earmarked for removal (T's 11 +17 of the TPO (T14 and T38 of the tree survey), other TPO'd trees (and instances of non TPO'd trees) are being retained. Overwhelmingly such retention is within proposed public open space and so pressure to prune would be less than if such trees are to be within the boundary of a private dwelling. Elsewhere (Plots 68 +69), where TPO'd trees are retained, generous rear gardens have been provided and the trees are (approximately to the north) of the dwellings. As such, shade cast on dwellings will not be a consideration. Elsewhere, care appears to have been taken to avoid future pressure from owners/occupants to prune trees so as to reduce shade into property windows. However there are instances on the west of the site where the presence of trees will be considerable to adjacent householders eg. plot 11 + plot 9.

Please could the following could be clarified or modified:

1) The Tree Protection Plan (drawing no 37.12.02F) key shows little difference between trees shown as retained and those shown to be removed. It is necessary to make this absolutely clear and unambiguous. Such a drawing should include areas of hedgerow to be removed as well as planted. However Para C1.1 of Tree King Report (TKC Ref 37.12E of January 2018) clearly states in a schedule the trees to be felled. Nevertheless this list is not exhaustive and there are many (predominantly ash trees) which comprise the hedgerow which bisects the site in a north/south direction which still do not appear to have been formally surveyed or described. It is clear that virtually all existing "lesser quality" trees are to be felled. Such felling needs to be shown on a bespoke tree felling and retention plan.

2) G1 of the felling list (para C1.1) is listed as Common Ash. However the tree protection map and schedule shows this group as being ancient oak. It is assumed that this is an admin error.

3) Para C1.1 also shows G4 (common ash) also being removed. However the tree protection Plan shows 2 G4 groups of trees. Phone conversations with Tree King clarifies that G4 on the western boundary is a new "G6". As such, the tree report, map and schedule need adjustment and clarification as to retention intentions.

4) Sections drawing within the Tree King report (no drawing number but dated December 2017) show intentions regarding ground elevations under the canopy of various retained

trees. Such adjustments in elevation are shown as being quite significant (up to 1.5-2 metres excavation and/or elevation on different sides of individual trees). Such changes in elevation within root protection areas are not acceptable. Para C6.2 of Tree King Report states "Where it is necessary to alter the ground levels in order to construct roads and driveways etc across the natural slope of the land, retaining walls will be constructed to avoid the need to regrade the ground in the vicinity of retained trees". This is acceptable but foundation and wall type needs to be sufficiently robust to take account of the weight/pressure of soil and roots behind. Similarly C6.3 states that "No excavation will be undertaken within the Root protection Areas of the retained trees. The ground levels within Root Protection Areas of the retained trees will not be altered either by cutting or filling. All of the retaining walls will be sited outside the Root Protection Areas of the retained trees." This gives some assurance that soil levels will not be altered but seems to be at variance with the Sections drawing described above.

5) Para A6.7 states that "it is proposed that retrenchment pruning should be undertaken on all of the large English oaks on this site. Each tree will be considered individually and a specification will be prepared for each tree before an application for permission to prune trees is made to Cheltenham Borough Council". Such a retrenchment pruning spec should be included as a part of any full planning application to prune rather than to make a formal separate application. However whilst the philosophy and aim behind such proposed pruning is agreed and will reduce the risk of major limb loss, each tree will likely react differently depending on vigour and vitality, naturally existing pruning points etc) and as such the assessment of the degree of crown reduction work (retrenchment work) should be considered during months when such trees are in leaf-their vitality is so much easier to assess.

6) It is proposed to fell G3 (cypress) but these trees are outside the site and as such the owners' (St Edwards School?) would need to grant such a permission. If these trees were retained, their current 20M+ height, evergreen nature as well as high water demand will negatively impact (in terms of shade cast as well as likely water availability on the proposed hornbeam, oak, lime etc trees proposed to be planted in the new open space to their north west.

7) The thrust boring technique within the RPA of tree T32 is a welcome endeavour to avoid significant tree damage to roots. However the off-site (to the south) route of such a drain is within school grounds and as such assurances must be made that the route taken will avoid any off site TPO protected trees and their root protection areas. Similarly there are no details shown of other service provision routes-fresh water, gas, electric etc.

8) Experience of subsidence within Charlton Court Road has shown that there is shrinkable clay soil in existence immediately adjacent to this site. It would not be unreasonable to assume that such clay soil extends into the site. Whilst proposed housing has designed around retained oaks and there is sufficient space between trees and houses from an amenity perspective, given the high water demanding nature of oak trees, it is critical that all property foundation types and design take account of retained and proposed new trees.

9) Paragraph B7 of Tree King report states where conflicts remain between drain runs within RPA's. Such a resolution has not been given as to how to minimise root damage where necessary and this needs resolution.

10) The Tree King Tree Protection Plan shows an avenue of 13 birch and 2 fastigate oak to be planted near the south east corner of the site. It would be of benefit if such birch were interspersed with additional fastigate oak. All newly planted "open space2 trees will need protection from deer if they are to thrive and grow. Such protective fencing must be of adequate durability and design.

11) So as to increase biodiversity, it would be welcome if a number of the largest felled tree trunks were placed into proposed open space so as to provide habitat for decay organisms.

CBC Tree Officer – final comments

10th July 2018

With regard to trees, this application site has a long and drawn out history of negotiation with a view to retaining the best existing trees, encouraging the planting of new trees whilst at the same time facilitating the proposed new build of many new houses.

The site is currently a tranquil area which has been treated to a seemingly “hands-off” management approach by its current custodians, St Edwards School. The site is dominated by grassland and several large veteran oak trees as well as hedgerows containing many trees of lesser arboricultural value. Most of the best quality trees are protected by a Tree Preservation Order dating back to 1981. This TPO also covers several (areas) of trees/hedge lines, but it is not considered that the trees within these areas are more than 37 years old and as such these areas are not afforded such protection.

There have been several amendments to the design of this site and in each case this has increased or improved the areas of land around trees to be retained as well as increasing numbers of trees to be retained.

There is a large hedgerow which almost bi-sects the site (G4) which is composed predominantly of ash trees. Whilst a proportion of this hedgerow is marked for removal, most of the trees within are of individual low quality but together add up to being visually significant. However their longer term future life expectancy is marred by their individual form but also the presence of ash die-back which threatens to eradicate many ash trees nationally. Due to the recent development of this phenomena on a national level, it is not possible to be clear what sort of ramifications ash die-back will take. It may be that a high percentage of all ash will die as a result, or it may be that dieback leading to death is “patchy” and may take several years to have significant consequences. Whilst the trees within G4 are important cohesively, Trees Officers consider their removal and replacement with other species may be better in the long term than the current “do-nothing” approach.

The trees have been subject to a BS 5837 (2012) tree survey. Whilst the large oaks have been noted as being veteran, they do not appear to have been given an increased Root Protection Area recommended for veteran trees. However on several occasions their Root Protection (overall) Area has been increased elsewhere around the trees so that they should have sufficient overall available rooting area. These areas are to be securely fenced off during any construction phase of this development. Where development is within a Root Protection Zone, methods have been described within the Arboricultural Method Statement (thrust boring rather than trenching techniques, different forms of fencing, ground protection, supervision etc) which should help in the safe retention of the rooting environment of these trees into the future. Similarly, they have frequently been incorporated into anticipated public open space (rather than being retained in private gardens) and have “buffer” planting adjacent to them.

It is difficult to quantify with a degree of accuracy, the number of trees to be felled. Whilst Tree King report of June 2018 states 18 trees (2 of which are subject to a TPO) are to be removed (excluding G4), this does not give a true reflection of the amount of change that will occur to this site. Similarly, there is an instance where existing trees have not been recorded thus giving an inaccurate impression of tree numbers to be removed. However these appear to be “scrub” areas of trees (significantly between trees T10 + 11) and of little arboricultural consequence (though they would contribute to the overall arboricultural “fabric” or character of the area). Whilst much attempt has been made to soften the longer term impact on the green environment, there is no doubt that should full planning permission for the development of this proposal be given, the current nature of the site will

change completely. Should permission be given for this application, it may be useful during the course of any full application, if a bespoke tree removal and retention plan be drawn up to give an easily-understandable perspective of tree canopy cover lost and canopy cover retained.

G3 of the tree survey are a group of large cypress trees. Their removal will be necessary so as to enable the new tree planting and establishment to promptly take place (cypress demand much water and block a lot of natural daylight). It is not clear if these trees are on or off site. If they are off site, local agreement with the owner needs to take place to secure their removal.

Most of the oaks to be retained are proposed be subject to retrenchment (branch end pruning to mimic the natural process of tree growth and aging trees as seen in nature) pruning, and each tree will have a bespoke retrenchment plan. Given the current normal to good vitality of these veteran oak trees, should such retrenchment take place carefully and sensitively, it should lengthen the anticipated life expectancy of the trees. It should also enable dwellings to sit alongside the trees more comfortably due to their shortened branch lengths.

Experience has shown that, especially on larger development sites, that there is frequently collateral damage to trees as a result of unforeseen circumstances during the design stage of any development. As far as possible, contingencies for this have been made within the method statement of the Tree King report. What is crucial should this proposal be given permission is that a retained arboriculturist is kept so as to ensure that construction practices are undertaken as described. This will help ensure that a system of robust protection and working methods are adopted so that retained trees are given maximum protection possible within the site. However Tree King states that monitoring should be taken routinely every 10-14 days. Such supervision (apart from at moments specified within Part C Section 6 of the report) should take place at more frequent intervals not least so as to help ensure that on site due consideration of the importance of protecting retained tree does not diminish as the proposal develops. This frequency of arboricultural monitoring should be increased to at least once every 5 working days. On each occasion, a "progress report" should be submitted to council trees officers following such visits.

It is possible that much of the subsoil within this site is clay soil. Given the proposed introduction of so much hard surface on this land, there is potential for much change to the hydrology of the soul and therefore changes to the water available to existing trees. A report should be written as to the likely consequences of such hydrological changes and the potential impact on existing trees. Paragraph B22 of Tree King report states that consideration should be given to the directing of rainwater onto rooting areas of the large oak trees. Such details must be submitted and agreed as a part of the any full planning application.

Planting:

MHP Landscape Strategy (Drawing no 16087101. Rev F) shows many new trees and hedgerows to be planted within the site both within proposed public open space and within private gardens. Overwhelmingly the proposed trees are of a native species and are to be planted in groups and lines so as to provide connectivity and in many cases will "frame" retained veteran oaks. Many "exotic" (non-native) trees are to be planted in proposed private gardens. Many of these species help provide habitat, food/nectar source for insects and generally are of an ultimate size suitable for the garden sizes.

Whilst such tree and hedgerow planting is welcome and necessary to provide a suitable setting for any new occupants, it will also help mitigate for tree and hedgerow losses incurred as a part of the development of the site as a whole. However there are insufficient details regarding overall tree planting numbers, sizes, tree pit details etc. The above drawing gives a good indicative idea of the scale of the proposed planting, but more detail

is required. It is strongly recommended to test the soil type, ph etc so as to help ensure that all trees to be planted are suitable for their proposed location. It may also be that soil amelioration is necessary at planting locations. Details of such activity and a Method Statement must be submitted and agreed as a part of any full application. Similarly, short, medium and long term management strategy for the trees (existing and to be planted) must be submitted as a part of any full application. This management plan must include details of how best retained veteran oak (and members of the public who visit these spaces) are to be managed. The new planting adjacent to existing retained trees need suitable aftercare and maintenance as well as robust protection from deer etc. It is anticipated that many of the trees are to be relatively large at the time of planting so as to help provide an "instant landscape". However unless such trees are carefully planted into appropriate tree pits incorporating suitable soil, mulch, support etc as well as a frequent and long term aftercare and maintenance (especially watering), such large trees will take a very long time (several years) time to establish and thrive. It may be wise to review what species currently thrive on the existing site and emphasise these species in any new planting scheme.

Conclusion:

Should this site be developed as suggested, the nature of this site will change completely. Should the site remain under the current minimal management approach, large veteran oak will likely continue to enjoy their environment free of the usual rigors associated with tree life in urban areas. There are few young/middle aged oaks within the site which have naturally seeded themselves. Most young trees within the site make up hedgerows and are of a species which face an uncertain future as a result of ash dieback.

Many trees would be felled to make way for the current proposal. Retained trees should not be significantly impacted providing they are given due respect through the rigorous protection and working methods as recommended in June 2018 Tree King report during the course of construction. However it is noted that many of the trees would not have the recommended space all around them as is recommended in the NPPF, the Woodland Trust, Ancient Tree Forum etc. Planting proposals indicate a rich tapestry of new trees to be planted. Further work is required during any full planning application to provide further details and assurances of tree planting suitability. Assuming such tree planting establishes and thrives, this should address tree losses as a result of the current proposal, but the tranquil nature of the current site would not return, even if there is a rich arboricultural fabric and the environmental and aesthetic benefits such tree planting brings.

The Woodland Trust

19th October 2017

As the UK's leading woodland conservation charity, the Trust aims to protect native woods, trees and their wildlife for the future. Through the restoration and improvement of woodland biodiversity and increased awareness and understanding of important woodland, these aims can be achieved. We own over 1,000 sites across the UK, covering around 24,000 hectares (59,000 acres) and we have 500,000 members and supporters.

The Woodland Trust objects to the proposed development on the grounds of loss and significant impact to several ancient oaks on site (T3, T13, T14, T19, T39, T40 and T44), six ancient English oaks off-site (T24, T28, T29, T30, T31 and T32), a group of ancient oaks (G1) and an ancient ash (T37).

Planning Policy

National Planning Policy Framework, paragraph 118, states that "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss."

Natural England's standing advice for Ancient Woodland and Veteran Trees states:

"Trees and woodland classed as 'ancient' or 'veteran' are irreplaceable. Ancient woodland takes hundreds of years to establish and is considered important for its wildlife, soils, recreation, cultural value, history and contribution to landscapes."

The Trust recommends that for ancient or veteran trees, "where a more precautionary approach is warranted, Root Protection Areas (RPA) distances should be greater than the standard buffers stated in BS 5837:2012. The RPA should be a minimum of 15 times the diameter of the tree trunk or 5 metres beyond the canopy, whichever is the greater 1 2".

Impacts

The Trust is concerned about the impacts of the development to the trees which are determined to be ancient in the applicants Arboricultural Survey. The trees in question are outlined below:

- T3, T19, and T40 will be subject to 5m height of crown reduction
- T13, T14, T37 and T44 will be felled to make way for the development
- T24, T29, T30, T31 and T32 are off-site of the development, but may be subject to crown reduction with owner consent
- G1, a group of ancient trees, will also be subject to 5m crown reduction.

Several of these trees are also protected by Tree Preservation Orders, highlighting that Cheltenham Borough Council deems these trees to be worth protecting for future generations to enjoy, and for their biological significance. The development will also result in the encroachment of the RPAs of several of the ancient oaks on site.

Natural England's standing advice for Ancient Woodland and Veteran Trees states that:

"Impacts of development nearby can include these effects on the trees and woodland, and the species they support:

- Compacting the soil around tree roots
- Changing the water table or drainage
- Increasing the amount of pollution, including dust
- Increasing disturbance to wildlife from additional traffic and visitors
- Increasing light pollution
- Increasing damaging activities like fly-tipping and the impact of domestic pets, changing the landscape character of the area."

Ancient and veteran trees are a vital and treasured part of our natural and cultural landscape. Ancient and centuries old veteran trees in the UK represent a resource of great international significance. Veteran trees are the ancient trees of the future. It has been estimated that the UK may be home to around 80% of Europe's ancient trees. They harbour a unique array of wildlife and echo the lives of past generations of people in ways that no other part of our natural world is able.

Due to the significant concentration of veteran trees in this area, the ancient trees likely to be lost are providing some of the closest potential replacement habitat for any rare species associated with decaying wood habitat, aging bark and old root systems. The larger the

concentration of old trees in an area and the longer they have been present on site, the richer the variety of species you will find among them.

For this reason it is essential that no trees displaying ancient/veteran characteristics are lost as part of the development. Any loss of ancient trees would be highly deleterious to the wider environment of ancient trees within close proximity, which may harbour rare and important species.

The Trust is concerned that if the protection area is limited, future risk assessments for the trees will determine that the tree needs to be felled due to past limb failures. The Trust is also concerned because people are inclined to use trees in all weather conditions as areas of protection, thus increasing the health and safety risk that the tree poses.

Conclusions

In summary, the Woodland Trust objects to the proposed development on the grounds of loss of four ancient specimens and developmental impacts to several ancient oaks.

The Trust believes that the above application should be refused, as it directly contravenes the National Planning Policy Framework, Paragraph 118.

The Woodland Trust – additional comments

1st March 2018

This is a joint submission on behalf of the Woodland Trust and the Ancient Tree Forum. The Woodland Trust will be maintaining its objection, and additionally includes significant concerns from the Ancient Tree Forum (who were previously unaware of this application) on the grounds of loss and damage to several ancient and veteran trees on site.

The Ancient Tree Forum (ATF) is a charity which has pioneered the conservation of ancient and veteran trees and is the main UK organisation concerned solely with their conservation.

The ATF seeks to secure the long-term future of ancient trees through advocacy of no further avoidable loss, good management, the development of a succession of future ancient trees, and seeking to raise awareness and understanding of their value and importance. The Ancient Tree Forum's supporters and contributors include very experienced and knowledgeable arboriculturists, ecologists, conservation land managers, foresters and landscape historians. These experts have contributed their national and international expertise to further our aims and in particular to produce 'Ancient and other Veteran trees: a guide to good management' (2013) edited by the eminent Dr David Lonsdale. This enables us to speak with authority on matters pertaining to ancient and veteran trees.

As we are the non-government voices for ancient woodland and ancient/veteran trees, this joint submission recommends that this application is considered for refusal. The Trust would like to make the council aware that the points raised in our original objection regarding planning policy and the retention of all ancient/veteran trees with appropriate root protection areas are still relevant.

Additional relevant policy

Policy GE6 of Cheltenham Borough Council's Local Plan (Second Review) states that: "Development which would cause permanent damage to trees of high value (Note 1) will not be permitted. The following may be required in conjunction with development:

- (a) The retention of existing trees; and
- (b) The planting of new trees (note 3); and
- (c) Measures adequate to ensure the protection of trees during construction works."

Natural England's Standing Advice for Ancient Woodland and Veteran Trees defines veteran trees as: "Veteran trees in this guide refer to veteran, ancient, or aged trees. They have cultural, historical, landscape and nature conservation value because of their age, size, or condition. They can be individual trees or groups of trees within wood pastures, historic parkland, hedgerows, orchards, parks, or other areas.

Mitigation measures will depend on the development but could include:

- leaving a buffer zone at least 15 times larger than the diameter of a veteran tree or 5m from the edge of its canopy, if that's greater
- protecting veteran trees by designing open space around them
- identifying and protecting trees that could become veteran trees in the future"

Further considerations

The Trust would like to highlight that a significant number of the trees within the site boundary have been verified as ancient and veteran specimens on the Ancient Tree Inventory. As such, due diligence should occur to ensure that any ancient/veteran trees will be retained and are protected in line with Natural England's Standing Advice for Ancient Woods and Veteran Trees.

With respect to Landscape and Visual Impact assessment: "Within the site there are a number of habitats which make a contribution to ecological diversity and interest, overall the nature conservation interest of the site is ordinary." And 5.6.6: "The study site itself and immediate surroundings have no demonstrable special landscape features of wildlife, cultural value." Both the Trust and the Ancient Tree Forum would dispute these statements given the number of mature/veteran/ancient trees within the site boundary.

Additionally, despite there being numerous veteran trees, no specific reference to these is made in neither the assessment nor any saproxylic survey. The site is likely to be valuable due to the number of trees, hedges with scrub edges and semi-improved pasture. It is correct that the site itself has no designation but the trees on it are recognised as important.

Whilst we welcome the retention of T13 within the revised plans, the veteran oak will still be subject to RPA encroachment as a result of this application. The Trust would like to further re-iterate that any ancient or veteran trees on site should be appropriately protected in line with Natural England's Standing Advice and the Ancient Tree Forum's recommendations of an RPA at least 15 times larger than the diameter of a veteran tree or 5m from the edge of its canopy, whichever is greater.

There are numerous incursions into the RPAs of veteran trees, which is already the minimum RPA with regards to BS5837 and less than the ATF and Standing Advice recommended distances. This includes 'no-dig' drives and footpaths. This is contrary to BS 5837 Section 7.4 Permanent hard surfacing within the RPA, which explicitly states in the Note: "This sub clause does not apply to veteran trees, where it is recommended that no construction, including the installation of new hard surfacing, occurs within the RPA."

Although the trees may be retained, initial substantial pruning has been proposed to address risks associated with such trees in a housing situation and is likely to be ongoing. The impacts will vary for different trees, but would include loss of visual and biodiversity amenity, increased stress and reduced tree longevity.

Additionally, T36 is a dead veteran oak within the site boundary. Whilst both the Woodland Trust and the Ancient Tree Forum would like to see the specimen retained as a monolith, in absence of this we would request that the applicant considers retaining the deadwood from the tree on site for conservation purposes.

Conclusion

Overall, both the Woodland Trust and the Ancient Tree Forum would recommend that this application is considered for refusal on the grounds of loss and significant damage to a large population of ancient and veteran trees.

We believe that damage and loss to habitats such as these special trees, acknowledged to be irreplaceable in Standing Advice, is unacceptable and should be avoided at all costs. The loss of any one of the above specimens would be in contravention of both national and local planning policy.

We hope you find our comments to be of use to you. If you are concerned about any of the comments raised by the Woodland Trust or the Ancient Tree Forum then please do not hesitate to get in contact with us.

Ancient Tree Forum

6th March 2018

Further to the joint objection recently submitted to the above planning application by the Woodland Trust and the Ancient Tree Forum, I would like to submit a further objection on behalf of the Ancient Tree Forum which has only recently been made aware of this application. This has been provided by our bat expert, Jim Mullholland, in relation to the adequacy of the bat survey that has been undertaken and therefore the impacts of this application on a protected species.

Bat Survey Critique

Trees 2, 5 were assessed as offering moderate potential to support roosting bats. However, these trees were only subjected to a single climbing inspection. The Bat Conservation Trust's Bat Surveys for Professional Ecologists; Good Practice Guidelines states that a minimum of two surveys should be undertaken. Therefore, these surveys have not met the minimum requirements of the guidance. An additional survey should be undertaken if these trees are to be removed or the potential roost features impacted by tree works.

The bat surveys of the trees were undertaken in May, June and July. As such, they take no account of bat use of the trees during the autumn and winter months. This particularly pertinent for noctule (*Nyctalus noctula*), a species identified to be on site during the activity surveys, as this species lek in trees during the autumn and then overwinter in trees. The absence of surveys during these periods is a shortcoming in the survey design. All trees with moderate or high bat roost potential should be subject to additional surveys during the autumn and winter months.

I trust that this objection will be considered, provided the matter has not yet been decided.

Joint Waste Team

4th September 2017

Referring to the site layout plan, all brick shaded roads would likely be block paving and therefore they would either have to be built to withstand up to 26 tonnes or those residents would be required to present their receptacles at the adopted highway which would likely be the grey internal roadway.

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

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

GCC Section 106 Officer

2nd February 2018

Thank you for consulting GCC Infrastructure on the above application.

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

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

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

The scheme comprises the following number of dwellings:

Houses:	84
Flats	16

The scheme will generate the need for **6.45** additional pre-school places. There is no additional capacity. Therefore a contribution is required: **£87,511**

The scheme will generate the need for **22.87** additional primary school places. There is no additional forecast capacity. Therefore a contribution is required: **£310,141**

The scheme will generate the need for **11.81** additional secondary school places. This includes Sixth Form. There is no additional forecast capacity. Therefore a contribution is required: **£244,216**

The scheme will generate additional need for library resources. A contribution is therefore required, in accordance with the GCC Local Developer Guide. The Library Contribution required is: **£19,600**

Education Contribution: Justification

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

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

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

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

Pre-school and Primary places:	£13,560.00
Secondary 11-16:	£17,514.00
Secondary 11-18:	£20,680.00

Multipliers are reviewed annually.

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

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

Pre-school Contributions:

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

Specific Infrastructure: Local nursery/pre-school

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

Primary School Contributions:

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

Specific Infrastructure: Holy Apostles

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

Secondary School Contributions:

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

Specific Infrastructure: Balcarras or New School

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

Library Contribution: Justification

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

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

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

Specific Infrastructure: Charlton Kings

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

Notes

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

Pre School	Per house	£984.00	Per flat	£301.00
Primary School	Per house	£3,622.00	Per flat	£367.00
Secondary School	Per house	£3,511.00	Per flat	£94.00
Libraries	Per house	£196.00	Per flat	£196.00

2. The total expected child yield from this scheme is:

Pre School	21.5
Primary School	24.5
Secondary School	11.5
16-17	3.7

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

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

- a proportion of children will not attend the local school (e.g. due to private school attendance)

- a proportion of students will not stay on to 6th Form (staying on rates)
- take up of nursery places is based on local data.

5. The infrastructure items identified are those which are most likely to serve the development. In the case of schools, these are the nearest schools within reasonable distance. Library services contributions will relate to the nearest local library.

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

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

GCC Section 106 Officer – revised comments

10th May 2018

Please see updated requirements for the revised application.

Community Infrastructure Requirements (Gloucestershire County Council)

Summary

Planning Application	17/00710/OUT
Site	Oakhurst Rise, Cheltenham
Proposal	91

The scheme has been assessed for impact on various GCC infrastructure in accordance with the "Local Developer Guide" adopted 2014. The Developer Guide is considered as a material consideration in determination of the impact of development schemes on infrastructure. The assessment also takes account of CIL Regulations 2010 (as amended).

The scheme comprises the following number of dwellings:

Houses:	69
Flats	22

The scheme will generate the need for **5.50** additional pre-school places. There is no additional capacity. Therefore a contribution is required: **£74,550**

The scheme will generate the need for **19.03** additional primary school places. There is no additional forecast capacity. Therefore a contribution is required: **£258,012**

The scheme will generate the need for **9.74** additional secondary school places. This includes Sixth Form. There is no additional forecast capacity. Therefore a contribution is required: **£201,442**

The scheme will generate additional need for library resources. A contribution is therefore required, in accordance with the GCC Local Developer Guide. The Library Contribution required is: **£17,836**

Education Contribution: Justification

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

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

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

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

Pre-school and Primary places: £13,560.00

Secondary 11-16: £17,514.00

Secondary 11-18: £20,680.00

Multipliers are reviewed annually.

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

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

Pre-school Contributions:

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

Specific Infrastructure: Local nursery/pre-school

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

Primary School Contributions:

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

Specific Infrastructure: Holy Apostles

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

Secondary School Contributions:

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

Specific Infrastructure: Balcarras or New School

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

Library Contribution: Justification

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

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

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

Specific Infrastructure: Charlton Kings

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

Notes

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

Pre School	Per house	£984.00	Per flat	£301.00
Primary School	Per house	£3,622.00	Per flat	£367.00
Secondary School	Per house	£3,511.00	Per flat	£94.00
Libraries	Per house	£196.00	Per flat	£196.00

2. The total expected child yield from this scheme is:

Pre School	18.3
Primary School	20.4
Secondary School	9.5
16-17	3.1
Total	51.2

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

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

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

5. The infrastructure items identified are those which are most likely to serve the development. In the case of schools, these are the nearest schools within reasonable distance. Library services contributions will relate to the nearest local library.

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

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

Gloucestershire Centre for Environmental Records

29th August 2017

Biodiversity report received.

Gloucestershire Centre for Environmental Records

14th September 2017

Updated biodiversity report received.

Cheltenham Civic Society

21st September 2017

This is a significant site remaining within the urban area. We accept the principle of residential development in this location. The site slopes to the south and is visible from the adjacent area. The proposed indicative layout does little to acknowledge the unique typographic nature of the site or its orientation. The indicative 'house-types' are dull and suburban, and indicate no local distinctiveness. This site presents, by reason of its size and location, an opportunity to build distinctive, modern and sustainable housing, which should take advantage of the sloping southerly aspect of the site.

Friends of Charlton Kings

14th September 2017

Thank you for giving us the opportunity to comment on this application.

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Friends of Charlton Kings is a social media based group with a shared goal, namely "Protection of the unique and special community that is Charlton Kings, standing for sympathetic, appropriate and sustainable development".

We have, at last count, 927 supporters, and we have canvassed those individuals to the extent possible in producing this document, emailing them for opinion, taking hard copies to the Charlton Kings parish council meeting for debate, and incorporating comments from our own consultation exercise in the London Inn on 10th September 2017, attended by all our local councillors and the Cheltenham Member of Parliament.

We request that the council and the planning committee accept the comments of Friends of Charlton Kings as representative of a significant community of objection to this site.

There is a point to make up front. The various contributions make no reference to it being private land. As this is a primary school, with a strict visitor registration policy, it can only be assumed that this long list of impressively qualified personnel commenting on the suitability of the site for development will be clearly identifiable as having visited the site in person? If not, that begs a number of obvious questions.

We have aimed to limit our collective comments to the factual inaccuracies and most serious misrepresentations in the current planning documentation associated with 17/00710/OUT, with a focus on the design and access statement. However, we also note errors or misrepresentation across the totality of the documentation submitted. The following is not an exhaustive list, for obvious reasons. For example:

- the ecology report has incorrect statements about the nature of the land and its appropriateness as a wildlife habitat.
- the tree report misses TPO'd ancient oaks and ignores the area TPO on the boundary hedge.
- A pond evaporates (apparently houses will be built in it).
- the hedgerow report gives the wrong age for the boundary (clearly present in 1810, as documented in David O'Connor's book on the history of Battledown)
- the hedgerow report statement that there is no wildlife in the hedges that is subject to protection under the Countryside and Wildlife Act. But other documentation including the bat and ecology survey (done by the same person), states that there is.
- The transport report has been met with suspended disbelief (including by Charlton Kings parish council) - it accords with no local reality. The issue would benefit from independent analysis. We would note that London Road and Hales Road are already over the Highways Agency flow capacity recommendation for urban single carriageway roads, so even marginal increases are unsupportable.
- The heritage report pays considerable attention to all the local heritage assets that are not affected by this site. It dismisses the impact on those that are affected in a couple of paragraphs.
- The flood data is all modelled, historical, assumed or taken from other locations in Cheltenham. It is completely absent any data that is relevant to this site (which has flood problems from rising springs, from run off and is bounded on all sides by buildings that have flooded, have flood defences, and / or have subsidence concerns linked to moveable water tables). Indeed CBC and planning inspectors have documented that this development of this site could exacerbate local flood risks.

The overall approach to planning documentation in this application seems to be the generation of inordinate volumes of impressive statistics, statements and professional opinion. On close scrutiny, most of it isn't relevant to the site, and that which is relevant, is wrong. The glossy reports and impressive titles encourage assumptions of rigour and professionalism. We would ask that the Planning official and committee pay very close

attention to the substance and cut through the gloss. We are unimpressed, and we hope you are too.

Design and Access Statement

1. Site Location

Lots of detail about what the site isn't.

Omission: Fails to mention that it is private green space. Cheltenham Supplementary Planning Guidance zones the site as part of Battledown and states that the area comprises large individual properties set in their own grounds, with much mature landscaping. "Garden land is not subject to sub division and intensification."

Misleading; fails to mention that the site is visible from the AONB, is central to the view from the conservation area in Charlton Kings and therefore a material part of the townscape, and is above the 'normal' finish to the build line in CK, approximately 210 metres above sea level.

Factual inaccuracy: States that there is a vehicular access from the end of Oakhurst Rise - there is not.

Factual inaccuracy: There are two current points of vehicular access to the site, from London Road and from Ashley Road, neither of which is mentioned.

2. Topography and character

Factual inaccuracy: States the open spaces comprise unkempt grass and a few trees. The grass is organic unfarmed meadow, which has been untreated for decades, and is cut once a year. The 'few trees' comprise oaks, sycamores and other mature trees subject to protection orders dating from the 1980s. A number of them are being evaluated for consideration as ancient, and are at least 250 years old. The site also comprises important hedgerow (covered by area TPOs), and ponds.

Factual inaccuracy: No neighbours consulted have planted trees to add screening; in fact no-one is aware of a tree that has been planted in the last 30 years.

3. Summary of site analysis

Misleading: states that the site is well screened from immediately adjacent public vantage points. The site is clearly visible from multiple points in Charlton Kings and 11 neighbouring properties have no screening between themselves and the site. The site borders a kindergarten playground and is clearly visible across the school grounds.

Misleading: states Battledown Estate is not typical of the town, but Ewens Farm is. However Cheltenham Borough Council local planning guidance has zoned Cheltenham; this site is not in Ewens Farm. It is in Battledown (see the map on SPD of June 2009). And it is part of Charlton Kings, which is noted for its village character and open green space.

Factual inaccuracy: States the site boundary is defined by tree planting. In fact, the site boundary is only defined by trees on the boundary to Ewens Farm (this is an historic boundary, featuring in a map of the area from 1810). There are a small number of trees and some low hedging on the northern side, and almost no planting on the eastern boundary; the southern boundary is current open as access to the school.

Misleading: The statement says that a number of trees surrounding the site and within the site are protected 'and the scheme will be developed to pay due regard to this'. But the current maps that have been produced fails to identify some of the ancient trees and some

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of the current TPO covered trees. The proposed design takes out all the important hedgerow and a significant number of TPO'ed trees. It even removes ancient trees that are assumed irreplaceable and have specific guidance with respect to planning and the development approach of nearby sites.

Query: statement that the land has been identified to be sold for development since the 1990s - yet 3 applications for development in the 1980s were rejected (on grounds that are still pertinent today), all the way up to Secretary of State, and nothing has been done until 2017. This appears unlikely. The site does not feature in any of the CBC land use / build projections in the last decade.

Constraints

Omission: fails to mention the environmental considerations necessary for this site given its nature, and the wildlife present. At a minimum, national planning policy includes the requirement for bat and badger mitigation, and for an alternate similar size (improved quality) reptile habitat. Local planning policy prohibits the development of private green space that has environmental impact.

Omission: fails to mention the flood risk

Omission: fails to mention the loss of visual amenity and broader environmental and noise impact on a school and its playgrounds

Misleading: states the site is visible 'from afar'. It frames the view out of Charlton Kings including its two conservation areas less than ½ mile away; that isn't really 'afar'. Fails to mention the site frames the view of CK from the AONB and is above the normal build height for any density housing in the area.

Factual inaccuracy: the access via the existing roadway still needs approval, given the need to remove protected hedgerow (covered by an area Tree Protection Order).

Omission: fails to mention the ponds and water collection sites across the fields

Omission: fails to mention the lack of school places within the local area (primary and secondary)

Omission: fails to mention the loss of local and educational amenity, particularly a cross county course used by Gloucestershire's school children, the natural studies opportunities for 400 primary children a year, and the community annual bonfire.

Omission: fails to mention CBC's local planning policy prohibits the development of private green space that has an environmental or significant townscape contribution

Proposal

Misleading: states that the density of the eastern section is 'more akin to Battledown Estate'. Battledown has a maximum of 4.9 properties per hectare. This proposes a density of >23 properties per hectare.

Comparison sites aren't in Charlton Kings - and are therefore irrelevant to the character of this neighbourhood.

Layout design

Misleading: 'an ecological assessment' consisting of a one day site visit in September, and a one day visit in February, is inadequate, particularly for a site of such environmental significance.

Omission: during the public consultation event, concerns were raised extensively about the loss of public amenity (not least the cross country course, and the local firework event),

drainage problems, the impact on listed buildings and current flooding problems across the area. These have not yet been addressed.

Factual inaccuracy: "a pond has been introduced to assist with the drainage of surface water". There is already a permanent pond on the site, which appears to have been removed, and a further 2 seasonal ponds, which have been ignored.

Drainage

Query: Severn Trent Water have previously documented that the foul and surface water drains located in Charlton Court Road are at capacity and that any future connection into them would have to be through new drains.

Query: existing surface water drainage has been insufficient even with 10 hectares of natural planting to alleviate flood risk. What happens when the storm water tanks are full? And what happens to the water that comes up through the various springs on site, or to the standing water that accumulates after every rain, even as a greenfield site?

Flood risk

Omission: given the preponderance of fresh water springs, an unstable water table and documented flood issues affecting almost all properties bordering the site, why has the flood risk evaluation been done on modelled historical data from other parts of Cheltenham, with no detailed geo-technical survey?

Conclusion

How is it possible to state that the proposal is consistent with all relevant policies and other material considerations, when those inconvenient to the application have been omitted completely?

Friends of Charlton Kings – additional comments

2nd March 2018

Friends of Charlton Kings decided to test the transport plan today for the Oakhurst Rise application.

It claims the approximate distance from the site to the co-op (as one example) is 790 metres - or 9.25 minutes walk.

We sent a 15 year old double county athletics champion around the proposed layout, ensuring he was walking at a pace above that claimed in the plan (despite the 1:11 climb in places).

The attached are his tracks off a skiing app which measures time and altitude. For the avoidance of doubt, the walk is 1100 metres. It took him 13.29 minutes to walk there, 14.28 minutes to walk back.

Please can you add the appropriate error margin to all the transport data - it under estimates all distances by at least 20%, and all times by an error margin of 33%

We are still waiting on a highways report, but note that no work has yet been done on transport data within Ewens Farm, which is the key bottleneck - and that the comparison data in the transport plan is for a dual carriageway. It is completely irrelevant to the traffic flows in Charlton Kings.



Friends of Charlton Kings – additional comments

5th March 2018

The revised plans are no improvement. The National Planning Policy Framework says "Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities."

Believe me, speaking on behalf of the now 900 strong Friends of Charlton Kings as parents of children who are at St Edwards School, we feel excluded from this process. Concerns are ignored, complaints brushed aside, requests for advice unanswered. The endless generation of consultant's glossy reports that are silent on all issues that matter to the community, but make the process unbearably laborious to anyone without a PHD in planning. If this is a 'collective enterprise' it is missing the point. And there is no excuse for the most extraordinary dismissal of the people who are most affected by this application - the 400 children each year who make use of the grounds, for forest schools and cross country running and outside classrooms and exploration. They don't get a voice. William Morrison's consultant's report says "Views experienced by students and staff attending St Edwards School adjacent to the study site are considered to be low value views due to their

situation within an undesignated landscape. Staff and students are considered to have a low susceptibility to change as their attention is likely to be focused on their work or activity. Their overall sensitivity to change is considered to be low"

Just watch the year 6 video. It is on you tube.

40 children in an organic meadow with a backing track of birdsong, saying that the thing they will miss most is the grounds. They understand what is meant in the foreword to the national planning policy framework when it says "Our natural environment is essential to our wellbeing, and it can be better looked after than it has been."

Dismissing their opinion in this way is undemocratic and just plain wrong.

Some detailed further objections:

1. On flooding, this open land provides a flood risk mitigation function for the whole of Charlton Kings. The documentation admits that SUDs will not be practicable on this site, but offers no viable alternate solution.

An open pond adjacent to a primary school is completely unacceptable on health and safety grounds - both because of the potential danger to very small children and because of the health risk from stagnant water. There is no outflow so the pond will silt up. There is no management plan for the 'pond'. Who is responsible for its maintenance?

Residents will want to hold the council liable for potential negligence claims if there is local flooding that can be attributed to incomplete consideration of material facts at the planning stage (we note the written opinion from Cheltenham Borough Council dated 12.10.1984 which states "there is a SW problem with this site from which flooding could result. See comments of Severn Trent Water Authority on previous applications").

The problems with sewerage are exacerbated by the incorrect recording of the topology of the site. Only one gradient is captured in the schematics, running north south - there are also steep changes in levels east -west. As a result the current drainage plan has sewers and drains running uphill in various places, in addition to the claimed gravity feed (where is the pumping station going to go?) This is reinforced by comments from numerous residents on Charlton Court Road, who have routine and serious problems with the existing sewers.

"Permeable surfaces" are irrelevant when the subsoil is dense clay because the water doesn't drain at all; it is only the fact of grassland and extensive large trees that protect this land; and that is barely adequate after rainfall of more than 2-3 days, even as a green field site. All calculations need to be done on the basis of run off over all landscaped areas. The entire flood management for the site is offered up on assumptions (all wrong) and assertion. This isn't adequate, particularly in the face of the detailed and evidenced contributions from locals including the Charlton Kings flood experts.

2. On transport, the plan is, as the local council put it 'stretching all credibility'. We've tested the data and sent you are results. This cannot be treated as a flat site. The data provided in support of the application is not evenly vaguely credible and the assertions are unachievable. Again, I note CBC's own opinion of 2 September 1984 which said "the carriageway alignments, junction arrangements within the existing estate are not suitable for additional traffic" (that was 33 years ago - and in consideration of 28 properties being built, not 100. That was when people really did walk, and didn't shop on line / expect groceries to the door / have 2, 3 or more cars per household). As the layout of the site has been altered to run north / south, anyone trying to walk or cycle now needs to navigate a 1:11 hill at least two, possibly three times, in each direction. It isn't practical, even for a fit teenager. Shops and schools are not within walking distance of this development as required in the NPPF. The application confirms that all local schools are at capacity and with no plans for uplift, the distance to the closest school needs to reflect the school the

child will actually go to. On this years round, that is Cleeve School for us on Ashley Road (Balcarras / Pittville being full) and Gardners Lane at primary level - every parent on this site will be driving their children to school.

3. The application remains silent on the harm to the Grade 2 listed manor house, Charlton Manor. Using Professor Mowl's definition of setting of a site, in his and his deputy's respective rebuttals of the Historic England comments, the harm to Charlton Manor is significant (in addition to the harm to the grade 2* listed manor to the south of the site).

4. It is not tenable to relocate a badger site to the boundary of a primary school with no foraging available. The application needs to be honest on the fact that there is no mitigation to the badger population.

5. The site drawings are inaccurate on the scale of the TPO'ed trees, nor is the design in accordance with Woodland Trust guidance that ancient / veteran trees need a 25m radius from the canopy, not from the trunks. We have no assurance from these designs that the ancient and veteran and protected trees on the site will be respected during the build, or afterwards. Different parts of the application now document different trees being removed; the inconsistency is so profound that it is now impossible to comment sensibly.

6. National Planning policy and the Hedgerow Legislation of 1997 presumes against removal of important hedgerow. This design is inadequate in this regard. It needs to be read as condemning the most significant and important hedgerow that runs north south on the site, It claims that hedgerow will form part of a back garden boundary, but this is impossible to protect post build (the hedge is currently in excess of 30feet in width, which again is not accurately represented on the drawings).

7. The spring fed pond at the top of the site just disappears. What is the strategy for managing the springs on the site? Can we be reassured that proper modelling will be done to mitigate against the already considerable subsidence problems from clay removal and 'wobbly' spring shifts across the parish (they are affecting numerous existing properties and new builds across Battledown and Ewens Farm)?

8. We re-iterate, with endless support from the community, as evidenced in previous objections, that this site provides a clear and key social role to the community, not just of Charlton Kings but of the whole of Gloucestershire. We cannot imagine how the council could justify building over the county cross country course. It is used routinely. It has been used by an estimated 40,000 school children (possibly more) since at least 1957. It is cited in various objection letters as being responsible for a life long love of athletics (including to Olympic standard), of long distance running (including from serving military officers) and of the outdoors (including in a video made available to CBC officers from the 40 year 6 children from the class of 2017). This is a completely unacceptable and incomprehensible loss of local amenity, completely at odds with CBC's statements on active and healthy living, and at odds with everything in both the council and national planning policy about our standards of living. The NPFF is clear on the need to protect sporting facilities and states that sustainable development means "improving the conditions in which people live, work, travel and take leisure" and states that planning decisions must guard against the loss of valued facilities; para 74 states that existing sports and recreational land should not be built on. The national policy is clear. The local policy is clear. The Localism Act is clear. So why is it being ignored so completely?

9. We have confirmed that Sixways GP surgery is over capacity with an extensive waiting list. The application confirms that all local schools are at capacity (NPFF para 72; cannot be done).

10. The charities commission have been asked why the Carmelite Monks are being allowed to sell charitable land beyond the purposes of the original bequest, and off the open market.

And once again, we note that CBC rejected the development of a brownfield site less than 500m from this very special private green space. That included CBC objection on grounds of access; the same streets that would be affected by this significantly larger proposal, for a site that local residents were happy (in the main) to see being developed. It makes no sense.

Friends of Charlton Kings – additional comments

12th March 2018

The Friends of Charlton Kings are surprised by the tree officer comments posted. Leaving the treatment of ancient oak and veteran trees to one side (although strongly disputing that this design accommodates their retention; it requires the trees to be both pollarded, their roots compromised and a number to be condemned to small back gardens where they will be inappropriate and subject to eventual removal), there are some material errors and omissions in his statement.

"while many trees and hedgerows are proposed to be removed it is considered that the new tree planting will address lost quality canopy cover over time".

Canopy cover isn't the issue.

Flood protection is the issue; a 200 year old tree is more beneficial than a 10 year old tree - indeed than 20 10 year old trees.

The status of the hedgerows is the issue. Both hedgerows running north south on the site are important (and one is protected by an area TPO; both should be subject to a hedgerow retention notice under the 1997 legislation, given their age, the protected wildlife within it and more. The original ecology report recognises the hedgerows 'might' be important - they patently are - but this has not been acknowledged by the tree officer). Under part II of Schedule I of the legislation, it states that important hedgerows are of value for which new planting is no substitute. DEFRA guidance ("a guide to the law and good practice") to support the 1997 Hedgerow legislation states, and I quote para 8.16 say "the circumstances in which removal of important hedgerow is allowed to proceed are likely to be exceptional."

It is surely not acceptable to be silent in the issue of these important hedgerows given CBC is the statutory authority for their protection?

Next, the comments of the Woodland Trust have been ignored; they clearly articulate best practice for the protection of the ancient and veteran trees they have identified on site, and identify that the design proposed falls well short of what is required and will result in the loss of many of these irreplaceable trees.

Finally, the comments state that there is no current formal routine public access allowed onto the land, and as such "the visual amenity of most trees is limited to those who live adjacent".

This is patently untrue. There are 400 children in the school who use this landscape daily as a recreational facility, as a forest school and as an outdoor classroom. They and their teachers enjoy the visual amenity and do not live adjacent.

There are routine school, district and county cross country runs over the land; we are at one tomorrow. Both runners and their families enjoy the visual amenity of the landscape.

And the land and the trees are visible from the Charlton Kings conservation area and indeed dominate the the landscape from the AONB, as our photos previously provided to CBC evidence.

The Friends of Charlton Kings object to the tree officers comments in the strongest possible

Friends of Charlton Kings

14th May 2018

Arboricultural Review available to view online

County Archaeology

22nd August 2017

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

I advise that I have checked the proposed development area against the County Historic Environment Record: the wider locality is known to contain extensive archaeological remains relating to settlement and activity of the prehistoric and Roman periods. I therefore have a concern that significant archaeological remains may be present within the application site, and that these may be adversely affected by construction ground works required for this scheme.

I note that this planning application is supported by a report on an archaeological desk-based assessment (CgMs Consulting, November 2016), supplemented by an archaeological statement (CgMs Consulting, February 2017) regarding a 19th century ice house located in the eastern part of the application site.

In addition, the application site has been the subject of a geophysical survey (SUMO, February 2017). This survey detected ground anomalies which may represent the archaeological remains of back-filled pits. While no other ground anomalies indicative of archaeology were detected, large areas were found to be covered by magnetic debris which would obscure underlying archaeological remains.

In considering the results of the geophysical survey it should also be borne in mind that the survey will not have detected all potential archaeological remains present on this site, since there is a range of smaller archaeological features - such as pits, post-settings linear gullies and graves - which would not be detectable at the survey intervals used for the work. For that reason it is in my view imperative that the results of the geophysical survey should be tested further.

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

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

County Archaeology - additional comments

1st November 2017

Thank you for consulting me concerning the report on an archaeological field evaluation (Worcestershire Archaeology, October 2017) which has been submitted in support of the above planning application. I wish to make the following observations regarding the results of the evaluation.

I advise that the archaeological field evaluation comprised the excavation of five trial-trenches, the trenches being investigated to test the results of a previous geophysical survey (SUMO, February 2017).

No significant archaeological remains were observed during the evaluation, and on that evidence it is my view that the application site has low potential to contain such remains.

Therefore, I recommend that no further archaeological investigation or recording should be required in connection with this development proposal, and I have no further observations regarding this scheme.

County Archaeology - final comments

9th February 2018

Thank you for consulting me regarding the revised details submitted in connection with the above planning application (which I note includes a revised site layout).

I advise that for the reasons outlined in my previous letter of 12.10.2017 it is my view that the application site has low potential to contain any significant archaeological remains.

Therefore, I confirm that I have no objection to the granting of planning permission for this revised proposal, and I recommend that no further archaeological investigation or recording need be undertaken in connection with this scheme.

I have no further observations.

GCC Local Highway Authority

4th June 2018

I refer to the above planning outline planning application with access and layout to be considered received on the 29th August 2017, submitted with application form, Design & Access Statement, Transport Statement, Travel Plan, Transport NMU Context Report and drawing refs. LA01 Revision: E, PL001, PL003, PL004 PL005 F, SP01 Revision: L, SK01 Revision: J, SK01 Revision: L, SK09 Revision: M, SP01 Revision: L and SP02 Revision: K.

Location

The site is located to the east of Cheltenham town centre within Charlton Kings. The site is bound to the north, east and west by existing residential development and to the south by St. Edward's Preparatory School. The proposed development site will be accessed directly from Oakhurst Rise. Oakhurst Rise is a cul-de-sac serving residential dwellings and connects to Ewens Road and Beaufort Road at its southern extent in the form of a simple priority junction. Oakhurst Rise and all of the other roads in the locality have pedestrian footways to both sides of the highway and feature street lighting.

Accessibility – Public Transport, Walking & Cycling

The site is sustainably located and is deemed to be within acceptable walking distance of local amenities. In addition the site is also accessible to high quality public transport facilities located nearby with the nearest bus stops located on Beaufort Road to the south-west and slightly further afield on the A40 to the south. The bus serving the stop on the A40 London Road operates regularly at peak hours with services connecting to centre of Cheltenham Town.

Access

Vehicular access to the site will be provided from Oakhurst Rise, via a continuation of the existing cul-de-sac. Oakhurst Rise is a class 4 highway with a carriageway width of approximately 5.5m and is subject to the sign posted 20mph speed limit. The continuation of carriageway into the site will remain at a width of 5.5m with 2m wide footways on both sides of the carriageway.

Layout

On entry into the site, drawing ref. SK01 Revision: L demonstrates that 18m forward visibility can be achieved with a target design speed of 15mph. I believe the design speed to be approximately 13mph which requires 15m forward visibility to be achieved, as significantly longer views will encourage drivers to increase their speeds (in accordance with the IHIE Home Zone Design Guidelines). Therefore due to the carriageway geometry (vertical alignment and 90° bend) acting as a speed reducing feature it is deemed that vehicle speeds around this corner will be low.

As two private cars can pass one another simultaneously throughout the site intervisibility is only required for larger vehicles (such as a refuse vehicle) and a car, in this location. As drivers of larger vehicles typically sit further forward than in a car due to the bonnet length being reduced this provides them with enhanced forward visibility. Therefore with the aforementioned and the infrequency of two such vehicles meeting it is deemed that speeds and the required visibility in this location will be low.

Forward visibility of 25m commensurate with the design speed of 20mph has been provided (drawing ref. SK01 Revision: L) around all other bends throughout the layout. In some locations these forward visibility splays cross over amenity space. It is therefore recommended that a planning condition is attached to ensure that all planting and/or boundary features within the forward visibility splays are no greater than 600mm.

The proposed internal layout will primarily be 5.5m wide carriageway with 2m footways on either side throughout the layout which is sufficient width to accommodate the passing of two private vehicles and ensures that conflict with vulnerable users is minimised in accordance with Paragraph 35 of the NPPF. The remaining areas within the site will be shared surface and vary in width between 7.5m and 7.8m, full height kerbed footways are tapered transitioning pedestrians into these shared areas with transitional rumble strips / ramps indicating drivers that they are entering a change in highway.

Refuse vehicle tracking as shown on drawing ref. SK01 Revision: L demonstrates that an 11.2m 3-axle refuse vehicle can enter, manoeuvre through and egress the site in forward gear without conflict. The tracking has demonstrated that where a car is unable to pass a refuse vehicle adequate levels of driver to driver intervisibility can be achieved to allow one another to give way. The refuse vehicle can get within 25m of all refuse storage points and would have not come any closer than 500mm from any vertical kerb-line structure, tree or formal car parking space.

Parking

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

Parking provision should be compliant with Paragraph 39 of the NPPF as well as give consideration to documents such as the DCLG Residential Car Parking Research Document. I have undertaken a study of the local car ownership levels for the area surrounding the proposed development site.

In total the proposed development will provide a total of 188 parking spaces for the 91 dwellings with a mix of garages, driveway car parking spaces and 29 visitor car parking spaces. This equates to an average of 2 parking spaces per dwelling, which is in excess of the local car ownership Census data levels. The 2011 local car ownership Census data identified an average car ownership within (Area name) E01022104:Cheltenham 012B of 1.16 cars per dwelling.

Cars	Number	%
All categories: Car or van availability	721	100.00
No cars or vans in household	122	16.9
1 car or van in household	349	48.4
2 cars or vans in household	200	27.07
3 cars or vans in household	37	5.1
4 or more cars or vans in household	13	1.8

In addition to the above 0.2 parking spaces per dwelling required by Manual for Gloucestershire Streets (MfGS) for visitor parking, a total of 19 visitor spaces for the development would also be required. When combining the expected car ownership levels and GCC's visitor space requirement (based on MfGS), the proposed site would be expected to provide at least 125 car parking spaces. Therefore based upon the local car ownership levels and the proposed parking provision being higher than the recorded average car ownership figures in the 2011 census data, the proposed provision would be regarded as acceptable in accordance with Paragraph 39 of the NPPF and will reduce the likelihood of parking displacement on the surrounding highway network.

Each parking space complies with the recommended design guidance of 9.13 and 9.14 Manual for Gloucestershire Streets with each space measuring 2.4m x 4.8m in length with 6.0m of drivable surface in front of them for ease of access. The private garages also comply with the recommended design guidance of 9.22 Manual for Gloucestershire Streets with each single garage measuring a minimum of 6m x 3m, with minimum door width of 2.4m and each double garage measuring 6m x 6m, with minimum door width of 2.4m.

In addition the site will provide a minimum of 1 secure cycle storage space per dwelling. Cycle storage provision will encourage an active lifestyle and can act as a suitable substitute to the private car over short distances. A 3 mile utility cycle is a convenient distance for cyclists of all abilities whilst longer journeys of 5 miles or more according to LTN 2/08 allows experience cyclists to commute to work as well as provide scope to combine with alternative modes of sustainable transport to create longer environmentally friendly journeys. Cycling does have the ability to create a modal shift away from the private motor car.

Cycle storage for the dwelling houses can be accommodated within a rear garden shed, the shed should have a stand secured to the foundations and fixed lockable door. They should be positioned as such to allow for overlooking from a habitable room, this will allow for passive surveillance and help to reduce potential crime. The cycle storage serving the apartments can be provided by way of an appropriately positioned external store located close to pedestrian entrances and accesses. The store must be safe, secure and covered. Cycle storage facilities will be secured by way of planning condition.

Non Motorised Users

A review of the routes to local facilities has been undertaken to identify any implications of schemes for non motorised users accessibility, safety, comfort and convenience. The overall outcome identified that the existing routes were of a good standard with only a small number of pedestrian crossing improvements required. These have been secured by way of suitably worded planning condition.

Road Safety Audit

A stage 1 Road Safety Audit (RSA) was undertaken for the site layout in accordance with HD19/15. All issues raised within the audit have been agreed to within the designer's response and will be incorporated at detailed design stage.

Vehicle Trip Generation

During scoping discussions, the Highway Authority stated that the TRICS trip rate and trip generation data presented by the applicants transport consultant (Cotswold Transport Planning) was not comparable to the proposed development site. The Highway Authority requested a local validation survey should be undertaken to determine the forecast trip generation. It was agreed that an Automatic Traffic Count (ATC) survey could be undertaken on Charlton Court Road, as this was area which could be used to forecast vehicular trips at the proposed site.

The use of the donor site (Charlton Court Road) is considered to be robust for the purposes of estimating the trip generation from the proposed development. The daily trip generation from the local donor site is approximately 25% higher than the daily trip generation presented in the scoping report presented by the applicants transport consultant, derived from the TRICS database.

The donor site recorded a two-way AM peak hour trip generation of 0.44 trips per dwelling consisting of 0.11 arrivals and 0.33 departures and a two-way PM peak hour trip generation 0.48 trips consisting of 0.31 arrivals and 0.17 departures per dwelling (based on 35 dwellings). For a 91 dwelling development, based on the donor site figures, the development would generate 40 AM peak hour trips consisting of 10 arrivals and 30 departures and 44 PM peak hour trips consisting of 28 arrivals and 16 departures.

Distribution & Traffic Impact

Based on census journey to work data (2011), the proposed vehicle distribution can be determined. 51.8% of development traffic will be distributed left out of Oakhurst Rise onto Beaufort Road and Charlton Court Road, travel west along the A40 towards Cheltenham, 22.1% will be distributed right out of Oakhurst Rise, travel west along Ewens Road towards the B4075 Hales Road, 11.7% will turn left out of Oakhurst Rise onto Beaufort Road and Charlton Court Road, travel west along the A40 towards Cheltenham and turn left onto the A435 and the remainder will turn left out of Oakhurst Rise onto Beaufort Road and Charlton Court Road, travel east along the A40 towards Charlton Kings, based on the 2011 Census Journey to Work Travel data.

Due to the assignment and distribution of the development traffic it was requested by the Highway Authority that the following junctions were capacity assessed:

- Charlton Court Road/London Road A40;
- Sixways;
- London Road A40/Cirencester Road A435; and
- Hales Road B4075/ London Road A40/ High Street A435

Charlton Court Road/London Road A40

The results of the Charlton Court Road/London Road A40 junction assessment shows that the junction operates well below practical capacity levels in current and future year scenarios (2022) with and without development traffic.

All of the other junctions above were subject to a LINGIG assessments, these outcomes are as follows:

Sixways

The results of this junction assessment show that the junction is operating well over absolute capacity levels in all scenarios due to the existing levels of congestion and there is very little that can be done in terms of mitigation. However the introduction of development traffic does not result in an unacceptable or severe impact.

London Road A40/Cirencester Road A435

In this assessment, the operation of the junction is shown to deteriorate to above practical capacity due to background traffic, the actual impact of the proposed development is shown to be minor, and therefore the results of the assessment are agreed. It has been illustrated that benefits to this junction can be achieved through downstream improvements at the A40 / Hales Road junction, which have been proposed as part of the off-site highway mitigation for the proposed development.

Hales Road B4075/ London Road A40/ High Street A435

On-site observations indicated that vehicles queue abreast in the single lane around half the time. Therefore modelling the London Road south east approach as a single lane with the potential for non-blocking storage is considered to be an acceptable approach. Using current traffic flows and this approach shows that the development is unlikely to have a significant impact in the AM peak hour, but this will be more meaningful in the PM peak hour. The assessment of a formal designation of two approach lanes shows that whilst the junction will continue to operate in excess of absolute capacity limits, there is the opportunity for a significant improvement in junction operation from the non-mitigation scenarios.

Mitigation

As the existing A40 highway network suffers from intermittent congestion investigations have taken place to identify whether any improvements could be implemented at the A40 / Hales Road signal controlled junction, which is deemed to be most critical in terms of local traffic congestion, primarily due to the exit blocking it causes to other signal junctions on the network (e.g. A40 / Cirencester Road traffic signals).

Upon assessing the investigations the Highway Authority has deemed the following improvements acceptable in terms of mitigating the impact generated by the development:

1. Engineering intervention to increase approach lane widths on the westbound A40 arm, and minor adjustments to the kerb radius on the southbound Hales Road entrance link.
2. Signal controller intervention - adding a UG405 / Mova unit to the existing ST900 controller and upgrading the connection to ADSL.

Whilst observations at the A40/Hales Road junction show that traffic queues side by side on the London Road south east arm approximately half the time, depending on multiple factors. It is considered that there would be a capacity benefit in the proposal to widen the carriageway to formalise this occurrence every cycle. This capacity benefit would be sufficient to mitigate the impact of the proposed development at the A40 / Hales Road junction, and improve capacity issues at the A40 / Haywards Road junction, so that the residual cumulative impact is not severe.

Personal Injury Collisions

Personal injury collision statistics have been presented for a study area which covers the A40 London Road to the east, A435 to the south and Old Bath Road to the west.

Five collisions were recorded within the study area over the 5 year period with one collision. These collisions are considered to have occurred as a result of driver, pedestrian or cyclist error rather than being attributable to the geometry of the local highway network.

Overall it is reasonable to conclude that there is not an excessive amount of personal injury collisions on the wider network and those collisions that do occur are spread. Therefore it is reasonable to conclude that the additional traffic generated by the development will not have a material impact on general road safety in the area.

Construction Traffic

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

Recommendation

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

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

Condition #1 Vehicle Access Location

Means of vehicular access to the development hereby permitted shall be from Oakhurst Rise only.

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

Condition #2 Junction Completion

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 20m 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.

Condition #3 Parking & Turning

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. SK01 Revision: J, and those facilities shall be maintained available for those purposes thereafter.

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

Condition #4 Electric Charging Points

Notwithstanding the submitted details, the development hereby permitted shall not be occupied until a minimum of 1no. electric charging points per dwelling has been made available in accordance with details to be submitted and approved in writing by the LPA.

Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 35 of the National Planning Policy Framework.

Condition #5 Cycle Storage

The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 1no. bicycles per dwelling has been made available in accordance with details to be submitted to and approved in writing by the LPA.

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

Condition #6 Forward Visibility

The forward visibility splays as demonstrated on drawing ref. SK01 Revision: L shall include no vertical features over 600mm. These areas shall be kept clear of vertical features over 600mm for the duration of the development.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe and secure layout which minimises conflict between traffic, cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

Condition #7 Estate Roads

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

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

Condition #8 Estate Road Maintenance

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

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

Condition #9 Fire Hydrants

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

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

Condition #10 Non Motorised User Improvements

Notwithstanding the submitted details, prior to works commencing on site details of pedestrian improvements for the installation of a connecting section of footway with tactile dropped crossing between Beaufort Road and Ewens Road (north side) and an extension to the footway facility and dropped kerb tactile crossing point across the Charlton Court Road cul-de-sac junction shall be submitted to and agreed in writing by the Local Planning Authority, the works shall then be constructed in accordance with the approved plans and made available for public use prior to the first occupation of the dwellings hereby permitted.

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

Condition #11 Pedestrian Crossing

No building on the development hereby permitted shall be occupied until the pedestrian dropped tactile crossing to the west of plots 1 & 6 has been constructed in accordance with drawing ref. SK01 Revision: L and made available for public use.

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

Condition #12 Highway Improvements

The widening of the approach lane widths on the westbound A40 arm, adjustments to the kerb radius on the southbound Hales Road entrance link and the signal controller intervention (adding a UG405 / Mova unit to the existing ST900 controller and upgrading the connection to ADSL) shall then be constructed in accordance with the approved plans before any of the dwellings hereby permitted are first occupied.

Reason: To ensure that cost effective improvements are undertaken to the transport network that mitigate the significant impacts of the development in accordance with paragraph 32 of the National Planning Policy Framework.

Condition #13 Public Transport Facility Improvements

Notwithstanding the submitted details, prior to works commencing on site details of improvements to Bus Stop ID: glodtwmt located on Beaufort Road shall be submitted to and agreed in writing by the Local Planning Authority; the works shall then be constructed in accordance with the approved plans and made available for public use prior to the first occupation of the dwellings hereby permitted.

Reason: To ensure that the development provides access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

Condition #14 Construction Method Statement

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

The Statement shall:

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

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

Condition #15 Travel Plan

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

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

Informatives

Note I: The applicant is advised that to discharge condition #8 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 managements and maintenance company confirming funding, management and maintenance regimes.

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

Note III: 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 appropriate bond) with the County Council before commencing those works.

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

Statement of Due Regard

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

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

CBC Planning Policy Team

The relevant policy document for consideration in regard to this application is the adopted Cheltenham Borough Local Plan Second Review 2006; Material Considerations include

National Planning Policy Framework (NPPF), national Planning Practice Guidance (PPG) and the Tewkesbury, Cheltenham and Gloucester Joint Core Strategy.

The NPPF seeks to achieve sustainable development, and whilst it seeks to boost the supply of housing (para 47) it also aims to protect and enhance the natural environment (para 7). The presumption in favour of sustainable development places the development plan as the starting point for decision making (paragraph 12).

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

The proposed site is a private green space within the Principal Urban Area of Cheltenham. It is not covered by any specific planning policy designations which indicate that development should be restricted. However, as the site is a green space and contains various habitats the development will have to mitigate its impact on the environment. The decision maker will need to weigh all of those impacts against the significant weight given to facilitating new housing development.

The emerging Cheltenham Plan has not yet reached submission stage so carries limited weight in planning decisions. However, its next iteration contains the application site as an allocation for housing.

In conclusion, the Planning policy team are of the view that the principal of the development of the site is acceptable. The impacts of the scheme need to be weighed carefully against the presumption in favour of sustainable development.

CBC Planning Policy Team – additional comments

1st March 2018

Since the original policy team comments were provided the policy position has altered. This addendum is provided to take those changes into account now that the planning application (17/00710/OUT) has been re-consulted on.

On the 11th December 2017 the JCS was officially adopted by the three partner authorities. At the time of the original consultation on this application the JCS had not been adopted but was so close as to carry almost as much weight. In this way the policy situation is not materially different.

The Cheltenham Plan Pre-Submission document was also approved for consultation by Council on the 11th December. As expected this version of the plan contained the Oakhurst Rise site as a potential residential allocation. This inclusion reflects the consistent view of the policy team that the principle of development on this site is acceptable.

The residential allocation policy in the Pre-Submission document specifies an approximate number of 25 dwellings for this site. This quantum of development was selected based on concerns about potential impact on the setting of a grade II* listed building. The western part of the site is screened from the listed building by an established hedgerow and could accommodate approximately 25 dwellings. The policy does not restrict development to that part of the site. However, any proposals for development to the east of the hedgerow should consider the layout, form and massing of the development with regard to the topography of the site and prominence, scale, massing and quantum of development. This is important given the elevated position of the site to the north of the listed building and the potential for impacts to arise from changes to spaces, changes to skyline, lighting effects, changes to land use and land cover to the appreciation and experience of the listed

building. The complexity of this analysis means that it is best dealt with through the planning application process rather than within a local plan.

It should also be noted that in line with the NPPF (para 216) and PPG (reference ID: 21b-014-20140306) that only limited weight can currently be given to the policies in the emerging Cheltenham Plan.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 On receipt of the original application, letters of notification were sent out to 93 properties surrounding the site. In addition, a site notice was posted at the entrance to Oakhurst Rise and, subsequently, an advert was published in the Gloucestershire Echo. Additional consultation has been carried out, where deemed necessary, following receipt of revised/additional information. In response to the publicity, 316 representations have been received; 309 of which are in objection to the proposals.
- 5.2 All of the representations received during the course of the application have been made available to Members separately. In brief, the objections raised in response to the proposed development include, but are not limited to:
- Site not currently allocated for housing
 - Overdevelopment / density
 - Inadequate access / increase in traffic / safety of pedestrians and cyclists
 - Loss of existing green space / cross country running facility
 - Impact on local community
 - Impact on wide variety of wildlife / protected species
 - Impact on local infrastructure – schools and GP surgeries already oversubscribed
 - Flooding and drainage / increase in surface water run-off
 - Adverse visual impact on AONB / reduction in landscape quality
 - Removal of trees and hedgerows
 - Noise and pollution during and after construction
 - Increased air pollution
 - Impact on setting of nearby Grade II and Grade II* listed buildings
 - Lack of affordable housing
 - Overlooking / loss of privacy to neighbouring properties
 - Proximity to St Edward's Preparatory School
 - Contrary to Charlton Kings Parish Plan
- 5.3 Members will be aware that requests have been received to defer the application to allow for local residents to be afforded more time to review the recent revisions to the scheme. However, re-consultation was not carried out with local residents on the latest version of the layout given the very minor nature of the changes proposed; however, the plans have been available to view on the Council's website. The revisions would be very unlikely to result in any additional issues being raised.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application for outline planning permission relate to the principle of developing the site for housing; access and highway safety; impact on the historic environment; removal of trees and hedgerows; landscape and visual impact; wildlife and biodiversity; design and layout; drainage and flooding; affordable housing and other planning obligations; and impact on neighbouring amenity.

6.2 Policy background / principle of development

6.2.1 Planning law requires that applications for planning permission must be determined in accordance with the development unless material considerations indicate otherwise.

6.2.2 Paragraph 14 of the National Planning Policy Framework sets out a “*presumption in favour of sustainable development*” which in decision making means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or*
 - *specific policies in this Framework indicate development should be restricted.*

6.2.3 The development plan comprises saved policies of the Cheltenham Borough Local Plan Second Review 2006; and adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy (JCS) 2017.

6.2.4 Material considerations include the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), and the emerging Cheltenham Plan Pre-Submission Document.

6.2.5 JCS policy SD10 advises that in Cheltenham housing development will be permitted at sites allocated for housing through the development plan; and on previously developed land within the Principal Urban Area (PUA). Elsewhere, housing development will only be permitted where it is infilling within the PUA.

6.2.6 In this case, the site is not currently allocated for housing within the development plan nor previously developed land; however, the site is wholly located within the PUA of Cheltenham, outside of the Green Belt and Cotswolds Area of Outstanding Natural Beauty (AONB). Additionally, the site is not the subject of any other designation that would rule out residential development in principle.

6.2.7 Moreover, the Cheltenham Plan Pre-Submission Document includes the application site as a potential land allocation for housing development. Although emerging CP policy HD4 suggests that the site is capable of providing approximately 25 dwellings, this figure was based on concerns about potential impact on the setting of nearby listed buildings; the western part of the site beyond the hedgerow was therefore identified as being more suitable for development but it is important to note that the policy does not restrict development to that part of the site, or indeed to 25 dwellings. The Planning Policy Team have provided additional comment on this in Section 4.

6.3 Access and highway safety

6.3.1 As previously noted, the proposed access is one of the ‘fixed’ elements of this outline planning permission.

6.3.2 JCS policy INF1 advises that planning permission will be granted only where the impacts of the development are not severe. The policy also seeks to ensure that all new development proposals provide safe and efficient access to the highway network; and

provide connections to existing walking, cycling and passenger transport networks, where appropriate. The policy reflects the advice set out within Section 4 of the NPPF.

6.3.3 Access to the site would be provided from Oakhurst Rise via a continuation of the existing cul-de-sac; Oakhurst Rise is a class 4 highway with a steep incline. The suitability of this single access into the site has been questioned by local residents and considerable concern has been raised.

6.3.4 A very thorough assessment of the development proposals has been undertaken by the County Council as the Local Highway Authority whose detailed response can be found in Section 4 above. The response recommends that no highway objection be raised subject to the inclusion of conditions should permission be granted. It is not intended to repeat the comments but to summarise:

- The site is sustainably located, deemed to be within acceptable walking distance of local amenities, and accessible to high quality public transport facilities.
- The layout achieves the necessary visibility throughout the site and can accommodate a refuse vehicle.
- The level of parking proposed is in excess of the local car ownership Census data levels and will reduce the likelihood of parking displacement on the surrounding highway network.
- A review of the routes to local facilities to identify any implications of schemes for non-motorised users accessibility, safety, comfort and convenience identified that the existing routes were of a good standard with only a small number of pedestrian crossing improvements required.
- Improvements can be secured to mitigate the impact of the development on the local highway network.
- It is reasonable to conclude that the additional traffic generated by the development will not have a material impact on general road safety in the area.
- It is not considered that the development will have a severe impact on the local highway network; it will provide a safe and suitable access to the site for all people, and will provide opportunities for sustainable transport modes to be taken up.

6.4 Historic environment

Impact on adjacent listed buildings

6.4.1 JCS plan SD8 requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance, and is consistent with paragraph 131 of the NPPF that advises that in determining planning applications, local planning authorities should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

6.4.2 Additionally, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority (LPA), in considering whether to grant planning permission, to have special regard to the desirability of preserving the setting of a listed building.

6.4.3 There are two listed buildings in close proximity to the application site; Charlton Manor, a grade II listed building located to the northeast of the site within the Battledown estate, and Ashley Manor, a grade II* listed villa within the school grounds to the

southeast. Additionally, an historic icehouse is also located within the application site itself. Whilst the site itself is physically separated from these listed buildings, there are clear views into the site from these heritage assets.

6.4.4 There is some disagreement as to the harm that would be caused to these heritage assets. Historic England (HE) refer only to harm to the grade II* listed Ashley Manor as they consider the green open nature of the application site to make a significant contribution to the setting of this heritage asset. Conversely, a Heritage Consultant writing on behalf of the owner/occupiers of Charlton Manor, whilst acknowledging the harm to Ashley Manor, suggests that the development would have an even more harmful effect on the setting of Charlton Manor. Notwithstanding this, what is clear is that the proposed development would undoubtedly have a harmful effect on the setting of these adjacent listed buildings. It is therefore necessary to consider the level of harm that would arise from the development.

6.4.5 Paragraph 017 of the PPG (Reference ID: 18a-017-20140306) advises that *“In general terms, substantial harm is a high test, so it may not arise in many cases”* and that *“It is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed.”* For heritage purposes, the “significance” of a heritage asset derives from both its physical presence and its setting. The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. *“Its extent is not fixed and may change as the asset and its surroundings evolve”*.

6.4.6 In considering the level of harm to the heritage assets that would arise from these development proposals, officers consider any such harm to be ‘less than substantial’, and this view is shared by the Conservation Officer and Historic England. However, by its very nature, less than substantial harm is still harmful.

6.4.7 Where development proposals would lead to less than substantial harm to the significance of a designed heritage asset, paragraph 134 of the NPPF states that *“this harm should be weighed against the public benefits of the proposal”*. PPG paragraph 020 (Reference ID: 18a-020-20140306) sets out that public benefits can be *“anything that delivers economic, social or environmental progress”* and should *“flow from the proposed development”* and *“be of a nature or scale to be of benefit to the public at large”*.

6.4.8 It is therefore understandable that HE and the Conservation Officer recommend refusal, they are rightly focussing on the historic impact of the development; it is not their role to weigh the harm against the public benefits of the scheme, it is for the LPA to do so.

6.4.9 The public benefits that would arise from this development proposal, together with the necessary balancing exercise, will be discussed later in this report.

Archaeology

6.4.10 Moving onto archaeological matters, paragraph 128 of the NPPF advises that where a development site has the potential to include heritage assets with archaeological interest, developers should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. In this regard, the County Archaeologist advised that that wider locality surrounding the application site is known to contain extensive archaeological remains relating to settlement and activity of the prehistoric and Roman periods.

6.4.11 As submitted, the application was supported by an archaeological desk-based assessment, an archaeological statement regarding the 19th century ice house located in the eastern part of the application site, and the results of a geophysical survey. In considering the results of the geophysical survey, it was noted that the survey would not have detected all potential archaeological remains present on the site, and that the results of the geophysical survey should be tested further.

6.4.12 The County Archaeologist therefore recommended that the results of an archaeological field evaluation be provided, and an evaluation was subsequently carried out on site which comprised the excavation of five trial-trenches. No significant archaeological remains were observed during the evaluation and, consequently, it is considered that the application site has low potential to contain any remains. The County Archaeologist therefore concluded that no further archaeological investigation or recording should be required in connection with this development proposal.

6.5 Removal of trees and hedgerows

6.5.1 Local plan policy GE5 (protection and replacement of trees) seeks to resist the unnecessary felling of trees on private land. In addition, policy GE6 (trees and development) advises that the planting of new trees and measures adequate to ensure the protection of trees during construction works may be required in conjunction with development. The policies are consistent with the aims and objectives of JCS policy INF3 which provides additional advice in respect of green infrastructure.

6.5.2 Paragraph 118 of the NPPF advises that planning permission should be refused for development resulting in the loss of aged or veteran trees found outside ancient woodland *“unless the need for, and the benefits of, the development in that location clearly outweigh the loss.”* Veteran trees are irreplaceable. The application site contains a number of private veteran trees together with a lesser number of ancient and notable trees, as identified on the Woodland Trust Ancient Tree Inventory.

6.5.3 Standing advice published by Natural England and Forestry Commission provides guidance in making decision on planning applications. The standing advice guides the LPA and developer to identify ways to avoid negative effects on veteran trees, such as redesigning a scheme. If the decision is made to grant planning permission, planning conditions or obligations should be imposed to ensure the developer avoids damage, mitigates against damage or, as a last resort, compensates for loss or damage. There are various mitigation and compensation measures set out in the standing advice.

6.5.4 The Tree Officer has been closely involved in the evolution of the proposed layout in order to ensure that the best existing trees are retained, and to encourage the planting of new trees within the development. Many of the best quality trees within the site are protected by a Tree Preservation Order (TPO). The Tree Officer's comments can be read in full at Section 4 and it is not considered necessary to repeat them; whilst they raise concerns, they do not object to the development in principle, subject to appropriate high quality mitigation planting being secured at reserved matters stage. Detailed landscaping having been reserved for future consideration, although the initial landscape strategy submitted to date indicates the provision of high quality landscaping proposals throughout the site.

6.5.5 Notwithstanding this, the development would nevertheless result in the loss of a small number of veteran trees, and it is there necessary to weigh up this loss against the benefits of the development in this location, as part of the overall balancing exercise.

6.6 Landscape and visual impact

6.6.1 JCS policy SD6 advises that all development proposals must consider the landscape and visual sensitivity of the area in which they are located or which they may affect. As previously noted, the application site is not located within the Green Belt or Cotswold Area of Outstanding Natural Beauty, but does sit in an elevated position above the town.

6.6.2 At pre-application stage, an independent landscape appraisal was undertaken by a chartered landscape architect at the request of the LPA. In their appraisal, the landscape architect identified the site's topography and notable slope as a key landscape feature,

and highlighted that, whilst it is not designated landscape, its elevated position affords views out across the town and provides the backdrop to a number of large properties within the Battledown Estate. Based on the information available to him at that time, the landscape consultant did not consider the site to be 'valued landscape' in terms of paragraph 109 of the NPPF which seeks to protect and enhance valued landscapes.

6.6.3 The NPPF does not define what is meant by 'valued landscape' but there is relevant case law on this subject. In this instance, officers do not consider that the site should be considered 'valued landscape' for the purposes of paragraph 109. Whilst the landscape clearly has a value attached to it, particularly by local residents, it is not considered to have any intrinsic features that specifically set it aside from other areas of non-designated landscape.

6.6.4 The visual context for the site is one of urban and suburban settlement. However, the site, whilst visibly surrounded by housing on three sides, and the more expansive school site to the south, is relatively quiet and isolated in comparison to its surroundings. The development would fundamentally alter the character of the site and, to an extent, reduce landscape quality. This is a material consideration that therefore needs to be considered in the planning balance.

6.7 Wildlife and biodiversity

6.7.1 JCS policy SD9 seeks to ensure that all development, wherever possible, makes a positive contribution to biodiversity and geodiversity, and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development. The policy reflects the advice set out within the NPPF at Section 11.

Cotswolds Commons and Beechwoods Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC)

6.7.2 Natural England (NE) commented on the original proposals and advised that insufficient information had been submitted to assess the potential impacts that the development might have on the Cotswolds Commons and Beechwoods SSSI or the Cotswolds Commons and Beechwoods Special Area of Conservation (SAC). Residential developments, alone or in combination with other developments, have the potential to result in increased recreational pressures.

6.7.3 Additional information was therefore requested and subsequently received from the applicant in order for the LPA, as the competent authority, to undertake a Habitats Regulation Assessment (HRA) Screening to establish whether there would be likely significant effects as a result of the proposed development. The results of the HRA, which was carried out with the aid of the County Ecologist, concluded that the LPA were able to rule out the likelihood of significant effects. However, NE did not agree that it was possible "*to conclude that the proposal is unlikely to result in significant effects on the European sites in question*" and suggested that a mitigation strategy was required to show how recreational pressure on the SAC could be reduced, and that an Appropriate Assessment be undertaken, concluding that without this information, NE England *may* need to object to the proposal.

6.7.4 In response to this, the applicant's agent carried out some research to see the approach NE had taken on applications for housing on nearby sites. One site looked at for comparison is a site at Coopers Edge in Brockworth for which planning permission was granted in March 2016 for a mixed use development to include up to 1500 dwellings following a call-in by the Secretary of State (Appeal Ref. APP/G1630/V/14/2229497). The Appeal Inspector in their report, stated:

13.1. *The application site lies some 1.9km from the Cotswold Beechwoods SAC. This covers some 585ha and was designated on account of its beech forests and semi-natural dry grasslands. The conservation objectives are to maintain these habitats in a favourable condition.*

13.2. *Natural England's initial view was that there was not enough information to rule out the likelihood of significant effects arising from the project alone or in combination with others, particularly in relation to increased recreational pressure. A report has been provided setting out relevant information to enable the potential effect to be assessed.*

13.3. *The report sets out the findings of a user survey to assess potential recreational pressures arising from this proposal. It concludes that it would generate some 7 new visitors to the SAC per 1000 population and that this could be readily absorbed without contributing to a significant effect. It also notes that the 24ha of informal recreation within the proposed scheme would provide suitable recreational opportunities for future residents. The report does not identify any adverse effects within the hydrology and air quality assessments. On that basis, the report concludes that the project, alone or in combination, would not contribute to an overall significant effect on the SAC.*

13.4. *The report's conclusions have been accepted by English Nature. In addition, the Habitats Regulations Assessment (HRA) for the draft JCS concluded that it (the JCS) would not have adverse in-combination effects on the integrity of European sites through increased recreational activity. This would include the application site, since it was identified as a strategic site within the draft JCS. There is no other evidence to suggest a likely significant effect. Although an assessment under Regulation 61 of the Habitats Regulations has been carried out, the information provided allows the competent authority to conclude that there would be no likely significant effect on the Cotswold Beechwoods SAC from this proposal, either alone or in combination. It is not necessary therefore to go on to carry out an Appropriate Assessment.*

6.7.5 The Inspector's report refers to a user survey which concluded that the development would generate some 7 additional visitors to the SAC per 1000 population, so if the same ratio of new visitors to the SAC is applied to this application for 90 dwellings, even in a worst case scenario (based on a maximum occupation of bedspaces) this development would result in approximately 3.5 new visitors.

6.7.6 With this in mind, officers would agree with the applicant's agent that no other conclusion could reasonably be arrived at other than the proposal would not have significant effects on the SAC. As such, no additional information has been requested at this time.

6.7.7 Notwithstanding this, NE recommend that mitigation measures for this development should incorporate the use of Green Infrastructure (GI), to help alleviate any recreational pressure, and suggest that well-designed GI could help to ensure that development is better accommodated within its landscape setting. NE also state that multi-functional GI is also important to underpin the overall sustainability of the development by performing a range of functions including flood risk management, the provision of accessible green space, climate change adaptation and supporting biodiversity.

6.7.8 Green infrastructure is also recognised as helping to deliver a range of economic, social and environmental benefits by, for example, driving economic growth and regeneration; delivering a higher quality of life and providing opportunities for recreation, social interaction and play in new and existing neighbourhoods; reinforcing and enhancing local landscape character; creating a sense of place and safe and accessible

environments in new development; improving public health and community wellbeing by providing opportunities for recreation and exercise; and helping to reduce air pollution.

6.7.9 Officers therefore feel that it would still be appropriate to secure appropriate mitigation measures at reserved matters stage with the inclusion of GI within the landscaping proposals.

Protected species

6.7.10 The site is noted to host a variety of protected species. A report submitted by Gloucestershire Centre for Environmental Records (GCER) identifies that bats and badgers, amongst other species, have been recently sighted on or near the site. Additionally, the Ecological Appraisal (EA) that accompanies the application acknowledges the presence of these species.

Bats

6.7.11 All bat species, their breeding sites and resting places are protected by law as they are European protected species. The EA identified that there were a number of trees within the site with the potential bat roosting features, some with multiple features, and bat activity surveys have therefore been carried out on site. A number of bat species were recorded during the manual surveys which were undertaken on a number of occasions from April to August 2017. The potential impacts on bats currently using the site for foraging and commuting were identified as being low to moderate adverse impacts, with the potential to provide moderate to major beneficial impacts through introduction of mitigation measures. The report includes a proposed bat and bird mitigation strategy.

6.7.12 A separate survey was carried out to assess the bat roosting potential of the trees. A total of eight trees were unable to be fully inspected and so the necessary dusk emergence and pre-dawn re-entry surveys took place. An additional dusk survey was undertaken on T6 to the north of the site following the discovery of a roost which identified a Common Pipistrelle day roost within T6 to the north of the site, which is to be retained.

Birds

6.7.13 Nesting birds are protected by The Wildlife and Countryside Act 1981, and vegetation clearance should take place outside of the bird nesting season March to August, or the vegetation should be surveyed for nesting birds by a suitably qualified ecologist prior to works commencing.

6.7.14 It is clear the development proposals would result in the loss of nesting opportunities for birds during construction; however mitigation measures such as nest boxes could be suitably be incorporated into the development.

6.7.15 The EA includes a mitigation strategy for bats and birds which could be further supplemented if necessary at reserved matters stage.

Badgers

6.7.16 Badgers and their setts are protected under the Protection of Badgers Act 1992. The EA identifies that significant badger activity was recorded on site, with a large sett found in the northern part of the site. The proposed development would require the removal of this sett and the possible loss of significant areas of foraging habitats. A full Badger survey was therefore undertaken on site.

6.7.17 As a result of the need to close the existing sett, it would be necessary to construct at least one artificial sett and this is proposed to the south of the site. Badgers would need

to be excluded from the existing sett prior to its destruction, and these works would require a licence from NE.

6.7.18 Badger Trust Gloucestershire, whilst not a statutory consultee, have advised that the loss of foraging habitat for a local group of badgers is likely to result in changes in badger activity. They have also commented that the closing of a longstanding main sett and removal of a major part of the badger group's foraging territory at the same time will inevitably disturb the badgers to the extent that they could not realistically continue to inhabit the site.

6.7.19 Furthermore, they suggest that artificial setts are rarely successful, and that the dispersal of badgers will inevitably result in them creating new setts elsewhere, which could well include in residential gardens and on commercial/public properties. The loss of foraging territory may also force the badgers to cross roadways to forage further afield. However, NE in their standing advice suggest replacement setts as compensation measures where setts would be destroyed, in addition to implementing mitigation measures for reduce the impacts

6.7.20 Officers are therefore satisfied that the badgers could be successfully relocated within the site subject to the submission of further details in relation to the artificial sett, the phasing of the works, and a comprehensive package of mitigation measures as part of the reserved matters application.

6.7.21 It is acknowledged that in an ideal situation the sett would be retained in its existing location but its relocation is fundamental to the proposed scheme. The retention of the sett in its current location would prevent the creation of a suitable access from Oakhurst Rise; there are no alternative access points.

Reptiles

6.7.22 Grass snakes and slow worms are protected by UK law. The GCER report identifies that a small number of grass snakes and, most recently, a slow worm have been recorded near the application site; the last recorded sighting was in 2016 in an adjacent garden in Oakhurst Rise. The submitted EA considers the site to have the low potential for reptiles to be present.

6.8 Design and layout

6.8.1 Layout and scale, together with the proposed access arrangements, are 'fixed' elements of the scheme; however, appearance is reserved for future consideration.

6.8.2 JCS policies SD3 and SD4 set out the design requirements for new development proposals. These policies seek to ensure that development proposals are designed and constructed so as to maximise the principles of sustainability, and to ensure that all new development responds positively to, and respects the character of, the site and its surroundings. The policies are consistent with advice set out within Section 7 of the NPPF which emphasizes at paragraph 56 that "*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*".

6.8.3 Additionally, JCS policy SD11 and paragraph 50 of the NPPF highlight the need to ensure that new housing developments provide an appropriate mix of housing to meet the local needs.

6.8.4 The proposed site layout has evolved during the course of the application to better address the constraints of the site, which has in turn reduced the number of houses from 100 to 90. The housing density in the eastern part of the site has been notably reduced to respond to the larger plot sizes and detached houses within the Battledown Estate and

provide for an improved relationship with these properties; the density on this part of the site is now approximately 13 dwellings per hectare (dph). A higher density of development is proposed in the eastern part of the site to reflect the more modern housing within the adjacent estate, including Oakhurst Rise, with a density of approximately 24dph. Across the site the density of housing equates to 21 dwellings per hectare, and whilst this is quite low, it would be inappropriate in this location to secure a higher density of housing. As proposed, officers consider the layout and mix of housing would make an effective and efficient use of the land in line with policy requirements.

6.8.5 The design of the layout has also been carefully amended to improve its relationship with the nearby heritage assets, and to retain a visual link between the historic icehouse and the grade II* listed school building, albeit physical separation already exists. The ice house will be retained in situ and complemented by landscaping.

6.8.6 The scale of development has similarly taken account of the surrounding built form, with the housing to the perimeter of the site largely two storeys in height, with building heights increasing to two and a half storeys within the site to include loft accommodation. The only three storey building, which comprises apartments, is located in the southwestern corner of the site.

6.8.7 Whilst the appearance of the housing is not 'fixed' and has been reserved for future consideration, indicative house types and street scene drawings have been submitted which indicate a contemporary design approach across the site with high quality external finishes. It is anticipated that the dwellings would be sustainably designed and constructed; the finer details of which would be required at reserved matters stage.

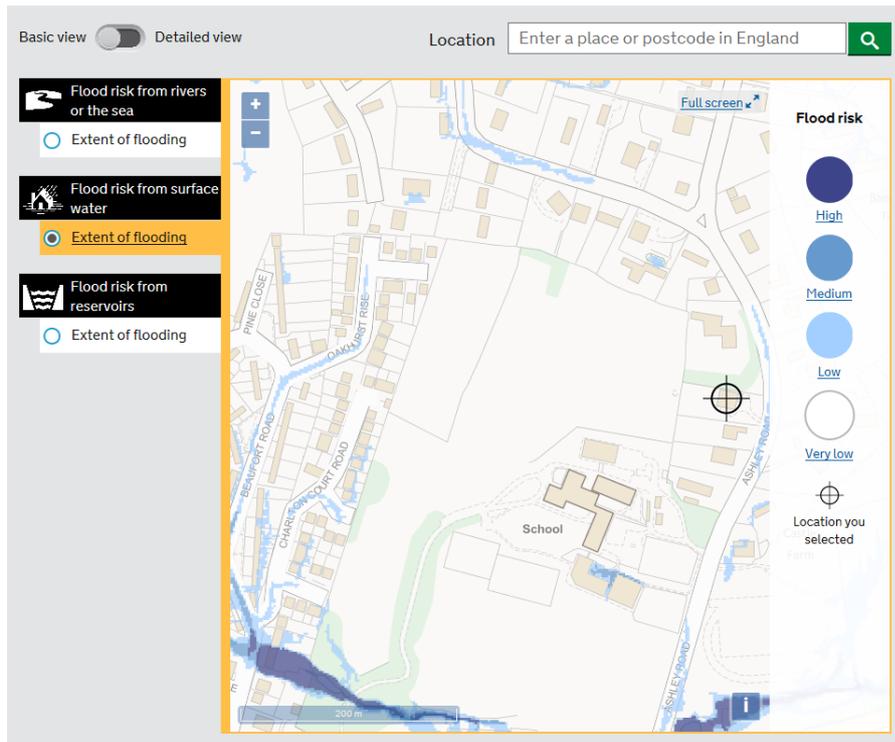
6.8.8 The layout has also been revised to secure the retention of additional existing trees within the site, and provides for multiple areas of green open space incorporating informal areas for play. As previously noted in this report, landscaping has been reserved for consideration at reserved matters stage, but the initial landscape strategy submitted to date indicates the provision of high quality landscaping proposals throughout the site.

6.9 Drainage and flooding

6.9.1 Adopted JCS policy INF2 and Section 10 of the NPPF seeks to ensure that new development is not inappropriately located in areas at high risk of flooding, and to ensure that development does not increase flood risk elsewhere and, where possible, contributes to a reduction in existing flood risk.

6.9.2 The application has been accompanied by a detailed Flood Risk Assessment (FRA) and below ground drainage proposals which have been reviewed by the County Council, as the Lead Local Flood Authority (LLFA) responsible for managing the risk of flooding from surface water, groundwater and ordinary watercourses; their full response can be viewed in Section 4 above.

6.9.3 The application site located in Flood Zone 1 and is therefore assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). Additionally, the Environment Agency's Flood Risk Map below identifies the entire site as being at a 'very low' flood risk from surface water flooding, although it does identify some areas in close proximity to the site that are at a higher risk of surface water flooding. The LLFA also acknowledge that there are significant surface water accumulations, and recorded incidents of flooding in the lower reaches of this catchment. It is therefore important to ensure that appropriate measures are provided to safely manage the flood risks arising from the increased run off from the development.



6.9.4 Given that this application is in outline, only a conceptual design for the sustainable drainage system has been submitted. On initial review of the proposals, the LLFA recommended that the applicant should reconsider their assessment of the relevant green field equivalent run off rate as it would be more appropriate for the designed controlled flow to be based upon the green field equivalent flow rate for the area corresponding to the proposed impermeable area. The applicant subsequently amended their assessment of the permitted green field run off rate and the LLFA have confirmed that this is now an acceptable representation.

6.9.5 The LLFA also raised some additional queries/concerns in relation to the level of information of provided but, notwithstanding these concerns, the LLFA are satisfied that, based on the information submitted to date, a viable and acceptable sustainable drainage system could be successfully incorporated into this development, and therefore raises no objection subject to a condition which requires a detailed design, maintenance and management strategy for the sustainable surface water drainage system to be submitted and agreed at reserved matter stage.

6.10 Affordable housing and other planning obligations

6.10.1 Adopted JCS policy SD12 requires the provision of affordable housing in new developments. In Cheltenham, outside of Strategic Allocation sites, a minimum of 40% affordable housing is sought on sites of 11 dwellings or more. Additionally, for a development of this nature, contributions towards education and libraries are also required in line with adopted JCS policy INF6.

6.10.2 As previously noted, the application now proposes 90 dwellings, 36 of which (40%) would be affordable. In line with the requirements of the latest Strategic Housing Market Assessment (SHMA) and local needs, a mix of 75:25 rented to intermediate housing is necessary. The Housing Enabling Officer is therefore seeking the following mix of affordable housing on the site:

40%	Affordable Rented	Intermediate (s/o)	Total	%
2 Bedroom 4P Flat	14	4	18	50 %
3 Bedroom 5P House	11	5	16	44 %
3 Bedroom 6P House	1	0	1	3 %
4 Bedroom 7P House	1	0	1	3 %
Total	27	9	36	100 %

6.10.3 The above mix of housing would provide much needed affordable family sized accommodation in this area. The Housing Enabling Officer has identified that as of June 2018 there were 2,365 households on Homeseeker Plus of which 1,066 households are in need of family accommodation, and 391 of these have specifically selected an area of preference to Charlton Kings; however there is currently very limited availability and a low turnover of social housing properties within the Charlton Kings area (estimates are of approximately 188 social housing properties).

6.10.4 The contributions required towards education (pre-school, primary and secondary including sixth form) are approximately £534,004 (this figure having been calculated on 91 units), with an additional sum of approximately £17,000 required towards library resources.

6.10.5 The affordable housing provision, together with the necessary contributions towards education and libraries, would be secured through a S106 agreement.

6.11 Impact on neighbouring amenity

6.11.1 Saved LP policy CP4 and adopted JCS policy SD14 seek to ensure that new development does not result in unacceptable harm to the amenity of adjoining land users and the locality. In addition, one of the core planning principles set out within paragraph 17 of the NPPF is to *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.

6.11.2 Officers are satisfied that the proposed layout would not result in any unacceptable impact on neighbouring amenity; the development would not result in any significant overlooking or loss of privacy, outlook or daylight to neighbouring dwellings.

6.11.3 It is acknowledged that outlook from neighbouring properties would undoubtedly be altered by the development; however, officers do not consider that it would result in any overbearing effect, nor loss of privacy or outlook. Additionally, the topography of the site, distances to boundaries, and general arrangement of the housing would not result in any significant impact on daylight or sunlight.

6.12 Other matters

Environmental Impact Assessment (EIA)

6.12.1 The Local Planning Authority was requested, in August 2017, to adopt a screening opinion to determine whether the proposed development would constitute ‘EIA’ development, under Part 2, Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017; i.e. determine whether the project is of a type listed in Schedule 1 or Schedule 2 of the Regulations.

6.12.2 The proposed development is not Schedule 1 development. Additionally, whilst the development is listed in column 1 of Schedule 2 of the 2017 Regulations (Part 10 Infrastructure Projects, (b) Urban development projects), the proposed development does not exceed the following thresholds set out in column 2 of the Schedule:

- (i) the development does not include more than 1 hectare of urban development which is not residential development;
- (ii) the development does not include more than 150 dwellings;
- (iii) the overall area of the development does not exceed 5 hectares.

6.12.3 Additionally, the site is not located within a “sensitive area” as defined by Regulation 2(1). Therefore, the proposed development is not Schedule 2 development and an EIA is not required.

Tim Fry Land Rovers King Alfred Way application

6.12.4 Local residents have made reference to a recent planning application on the Tim Fry Land Rovers site on King Alfred Way, planning ref. 14/01125/FUL. The application proposed the redevelopment of the site involving the demolition of the existing buildings and the erection of 86 dwellings together with access, landscaping and other associated works. For the avoidance of doubt, this application was refused only on the loss of employment land, and in the absence of a S106 agreement to secure payment of the necessary commuted sums, the provision of affordable housing, and a land management plan.

Loss of existing green space / cross country running facility

6.12.5 Many of the local representations refer to the loss of the existing green space which is used by the school for an annual firework display and for cross country running, but it is important to remember that this is private land; it is not a playing field or public green space. Additionally, the site does not accommodate a playing pitch or built sports facility. Sport England were consulted on the application did not wish to provide a detailed response as the development does not fall within their statutory or non-statutory remit.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development unless material considerations indicate otherwise.
- 7.2 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and directs that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.
- 7.3 The adverse impacts that would arise from the proposed development and the weight that can reasonably be attached to them are as follows:
- Less than substantial harm to the setting of designated heritage assets – moderate harm
 - Effect on the character and appearance of the landscape, which whilst not considered ‘valued landscape’, is of value nonetheless – moderate harm
 - Loss of veteran trees – moderate harm
 - Relocation of badger sett – limited harm
- 7.4 It is therefore necessary to carry out a balancing exercise, to see if the benefits arising from the scheme would outweigh the adverse impacts of the development.

7.5 The benefits would be:

- A contribution to the supply of housing within the borough, and particularly the provision of affordable housing – in light of the acute need for affordable housing in the local area, a full policy compliant provision of 40% (36 affordable units) can be afforded very significant weight.
- The provision of jobs within the construction industry for the duration of the development – only moderate weight can be afforded given the temporary nature of the development, albeit it would likely be for a reasonable time period.
- The provision of green infrastructure – moderate weight
- Contributions to local infrastructure - limited weight
- Potential land allocation for housing development in the Cheltenham Plan Pre-Submission Document – limited weight

7.6 With all of the above in mind, taking into account all the material considerations (including the provision of affordable housing), officers are of the view that the benefits of the scheme just tip the balance in favour of granting planning permission.

7.7 The recommendation therefore is to grant planning permission subject to a signed S106 agreement to secure the affordable housing provision, together with the necessary contributions towards education and libraries, and a schedule of conditions which will follow in an update.

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APPLICATION NO: 17/00710/OUT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 16th August 2017		DATE OF EXPIRY : 15th November 2017	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	William Morrison (Cheltenham) Limited		
LOCATION:	Land Adjacent To Oakhurst Rise, Cheltenham		
PROPOSAL:	Outline application for residential development of 90 dwellings including access, layout and scale, with all other matters reserved for future consideration		

REPRESENTATIONS

Number of contributors	316
Number of objections	309
Number of representations	5
Number of supporting	1

Tor
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 30th August 2017

I am a neighbour to the property, I object on the basis that the proposal shows two houses on my border both of which will directly overlook my house and garden due to the raised elevation, therefore I will have no privacy and will reduce the light coming into my garden, the field is also a hive of activity from a wildlife perspective with the badger set, a family of deer, butterfly, etc,

Also having looked at the access to the site it's crazy to try and get that much traffic down oakfield rise

I am also concerned about the loss of protected trees and the increased risk of flooding to my property

14 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 1st September 2017

We wish to register our strong objection to this application.

We feel the access available to the site is grossly inadequate to support the significant volume of road traffic that would be generated by so many houses in such a location. Beyond the immediate site access issues, the existing traffic issues on the busy London Road junctions would be exacerbated.

We are concerned about the increased run-off and flood risks for neighbouring areas likely to result from such extensive loss of vegetation and permeable surface area. Our locality is already prone to flash flooding; increased run-off down the hill will not improve this.

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The loss of valuable habitat for wildlife is a further concern, both in conservation terms and for residential amenity - the very regular presence of deer and owls, in particular, on the site provides a real contribution to the well-being of my family and neighbours.

We do not believe the local social infrastructure (schools and doctors in particular) have anywhere near the capacity to absorb this significant additional demand. In addition the site provides valuable community space, for cross county running and fireworks, that would be lost and not easily substituted.

In summary, we do not believe the proposal is remotely appropriate or in accordance with a number of aspects of local planning policy.

Arden House
232 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6HW

Comments: 4th September 2017

Object - keep the green, let it be used for all the things London doesn't have and keep Cheltenham the lovely place it is.

The flood warnings haven't changed either.

46 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RH

Comments: 1st September 2017

We object strongly to the proposed development near Oakhurst Rise. Our main objection is principally related to the much increased traffic this will create in our road, Haywards Rd and the entire Ewens Farm estate. We are already concerned at the much increased volume of traffic in our road as people use it as a rat run to avoid Hales Rd and the traffic lights on London Rd. This includes many large vehicles who have no regard for safety and certainly do not abide by the supposed 20mph speed limit. One such driver ran over and killed our cat recently and didn't stop. I often have to take a leap of faith to reverse out of my drive in the morning with my young daughter in the car due to the speed of this traffic particularly between 7.30 and 10am and then again between 5 and 7pm. I am too worried about my daughter's safety when walking to her primary school which is Holy Apostles school accessed via the lane by QE2 park at the top of Haywards Rd, to allow her to walk alone despite her really needing to prepare for walking to secondary school next September. This is because the junction with the Ewens Farm estate is already too dangerous with cars coming too fast round the corner from the industrial estate and failing to indicate. This situation will severely worsen if this application goes ahead. Having read the traffic survey conducted in December I fail to equate the summary with the reality. Challenge Motor company on the industrial estate at the top of Haywards Rd have already endangered lives and increased the likelihood of accidents as many of their customers park opposite the Ewens Farm junction and all over the road blocking visibility to drivers, pedestrians and cyclists alike. How is this development going to improve that? It will only make it much worse. Traffic and safety should be a fundamental priority in an estate with many small children and elderly residents alike.

85 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RG

Comments: 29th August 2017

I find it ludicrous that the biodiversity report makes no mention of the badgers and other protected species in this area. Ludicrous but not surprising when it feels like our green spaces are constantly under threat and this report serves the developers very well. Aside from the disastrous consequences to the wildlife, I too am extremely concerned about the extra traffic this will create as well as flood risk to an already flood vulnerable area. I sincerely hope the council take serious account of these risks and reject these plans.

3 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JE

Comments: 1st September 2017

We wish to make a formal complaint against the outline planning request as per this Reference.

1. We are very concerned about the extra volume of traffic in the immediate area of Beaufort Road and Charlton Court Road once the 100 properties are occupied.
2. The local schools are already over-subscribed as is Sixways Doctors surgery.
3. The easement proposed will increase the flow of water directly into the storm drains that feed into my garden and the stream that runs through it which flooded to a depth of 16 feet in 2007!

At the moment excess water flows down the slope towards the bottom of St Edwards School.

10 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JT

Comments: 6th March 2018

I would like to object to this planning application, I am concerned about access to the new development. The additional traffic will also cause more congestion and could be dangerous for children walking in this area. I am also concerned that there is not enough school places and local facilities to support the number of new residents. I am also worried about what will happen to the wife life and tress in this area. I am also concerned about the drainage from the extra houses/ flats.

Currently the area is a nice quiet area and this development would make it into a route leading to lots of extra traffic. It would also mean an increased strain on the local schools which do not have enough places for local children as it is. Also more patients for the drs which also never has appointments for its currents patients. This would be a very negative thing if planning were to be granted. I strongly object and ask that the right thing is done for the local area on this occasion.

Comments: 31st August 2017

I strongly object to this planning application for the reasons below:

1) It will have a severe negative impact on traffic in an area that is already very busy and often dangerous for pedestrians and cyclists. This is a residential area with children living locally and I fear that it will cause increased risk of a child being knocked down

2) There would be more strain and demand on the local schools which are already over stretched and too full to offer spaces to local children. The doctor surgery is also already full to capacity so much so that local people are unable to register

3) There would be an increased risk of flooding in an area that is already at risk of flooding. Several houses in the nearby streets have already been the victim of flood damage unfortunately. If the development went ahead this is likely to happen again

4) The loss of the greenfield space - meadows, hedgerows and protected trees. This would be detrimental to the local environment particularly putting several protected species at risk including bats and birds

My reasons for the objection are in no particular order. They are all valid reasons why this planning application would be detrimental to the local community and environment and should be refused.

Many Thanks

13 Brookvale
Charlton Kings
Cheltenham
GL52 6JD

Comments: 29th August 2017

Comment originally submitted 08.03.2017

We wish to register our complete opposition to the disastrous plan to build houses on land off Oakhurst Rise.

The complete lack of ingress and egress to this site along with the devastating impact on the native flora and fauna makes the whole concept ridiculous.

We trust the Council will give the proposal short shrift.

Comments: 29th August 2017

Re. the above I wish once again to raise my objection to the above proposal for the same reasons originally given.

10 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 2nd September 2017

I strongly object to this proposal.

It would be clear to anyone who visited the Green Field site in question, that it would be ludicrous to develop it into a whole new housing estate, with the vehicular demands of today.

The only access to the site, for construction traffic, removals lorries, delivery trucks and domestic vehicles for 100 homes (approx. 200 cars??) would cause unprecedented damage to the surrounding infrastructure and natural environment. And of course, they would all adhere to the 20mph speed limit and the 7.5-ton weight restriction on the Ewen's Farm estate roads, wouldn't they???

Oakhurst Rise is a quiet Cul-de-Sac with two sharp bends and two steep gradients. Even having lived here almost 30 years, I still struggle to walk home from Sixways, particularly if I have a bag of grocery shopping - it's just not "walking-friendly". I have NEVER managed to cycle up the road - it's even less "cycle-friendly". As a result, driving is the only option, although this is already made dangerous by the T-junction with Ewens Road/Beaufort Road, as several vehicles park in Oakhurst Rise, next to the junction, so that access to Oakhurst Rise is blind from the Ewen's Road approach and when approaching the T-junction from Oakhurst Rise, you must be on the wrong side of the road, to avoid the parked cars, so run the risk of collision from cars turning into Oakhurst Rise from Ewen's Road.

All of this will only get much, much worse, if there are an additional 100-200 domestic vehicles using the junction as access all day, every day.

Local amenities are already struggling to provide adequate levels of service to the existing community - with a new development of 100 houses to deal with, they will surely reach breaking point and then we will all suffer.

This development will change the entire nature of the area and reduce what is currently a "green and pleasant land" in this beautiful town of Cheltenham Spa in which I have lived all my life, to another sprawling urban housing estate.

So, my objections are :

- Oakhurst Rise is not suitable for access
- Significantly raised levels of vehicles using the existing Ewens Farm estate, which is already a rat-run to avoid the Holy Apostles traffic lights
- Changing the entire nature of the area, including flora and fauna, local environment and urbanisation

38 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 3rd September 2017

1. The loss of green space in an area that is surrounded by busy and therefore polluting roads. Space like this is needed in built up areas to counteract the effects of air pollution yet a development of 100 properties could add 200 cars to the road at school run/commuting time of 8am. This is particularly concerning as there are two schools (Holy Apostles and St Edwards) in very close proximity. Pupils walking to school will suffer from significantly decreased air quality. As will those with health conditions. "Urgent Government action is needed to stop up to 50,000 people a year dying early from air pollution-related illnesses," says the Environment, Food and Rural Affairs Committee, in its report on Air quality.

2. The impact on traffic - jams getting onto the A40 are pretty common - this is going to make it significantly worse.

3. The trees and wildlife all need protection and should be safeguarded. As should the landscape of Cheltenham when looking from Leckhampton.

4. This is unnecessary, there is plenty of brownfield sites that can be developed or if you are unable to find enough of those then the greenbelt between Cheltenham and Gloucester and Tewkesbury would be a better bet as at least there are decent roads. If you are going to allow further development on this side of Cheltenham the road to Oxford and a ringroad around the town to Gloucester/Tewkesbury is essential.

5. Balcarras school is already over-subscribed as are all of the primary schools in the area. The children from this development will need to go somewhere which will have a knock on impact on selection of a local school for everyone in the area and therefore necessitate more travel by car to school and cause problems for working parents. Large housing developments should be in the areas where schools have capacity/can expand or schools are scheduled to be built e.g. near All Saints or the possible new secondary school for Cheltenham.

Comments: 27th February 2018

1. Air pollution - not only filling in few bits of green space when all research suggests that this isn't done but also the fact that the road infrastructure cannot cope. I would imagine at least 100 cars if not 200 will leave the estate between 8am and 8.30 - not 24. There are no school places within walking distance - particularly primary so parents will drive. It is unlikely that many places of work are within walking distance. To compare to developments near gallagher retail park is ridiculous. Gallagher retail park is on a dual carriageway, that leads to the M5, has easy access to Gloucester and there is minimal housing around the busy junction - unlike hailes road.

There is no way that even a fit person could walk to the shops in 9 minutes. This has been timed by an athlete and it took around 14 minutes.

It is unsafe - the clay soil will lead to the same situation as near St James Primary where the bank needs to be reinforced to stop houses sliding into haltherly brook.

There are numerous reasons for the site to be protected that have already been covered by others.

25 Hillview Lane
Twyning
GL20 6JW

Comments: 4th September 2017

I object to the development on several ground. Firstly, the traffic congestion brought by the additional housing will be huge. Congestion around Charlton Kings is already very bad. Additionally, access to the development is completely inadequate.

Secondly, this is an area of natural beauty. Habitat loss will have a detrimental impact on wildlife.

Thirdly, the site acts as a 'sponge' to soak up rainfall. More housing will increase the risk of flash floods.

Greenacre
Stanley Road
Cheltenham
Gloucestershire
GL52 6QD

Comments: 4th September 2017

I am objecting to the proposed development due to several reasons:

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- the current site is an organic meadow with ancient hedgerows and protected trees. building on this will result in loss of greenfield and risk destroying habitats of bats, newts, slow worms, adders and lots of birds.
- the development will also result in loss of permeable green fields and the paving and concrete will mean increased rainwater run off into drains and sewers and risk overloading the system with severe consequences. there have been issues with flash floods in battledown before and this will only make things worse. the developers do not have a satisfactory solution to this run off problem
- I am very concerned about the amount of extra traffic that will be generated in the area. We already struggle with traffic jams at busy times of day, and this will make things worse. Also extra noise and light pollution, in what is currently a peaceful area to live.
- as well as extra traffic, the extra people- adults and children will result in pressures on the local GP practice and schools.
- I really hope that you can see that there is nothing positive about this development, and many of us are worried about the threat it poses on what is currently a pleasant place to live.

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

Comments: 5th September 2017

I lived at the top end of Oakhurst Rise for 14 years. This is a small cul de sac, which is accessed through the one way system of Ewens Farm (from London Road). It is a nightmare to circumnavigate Ewens Farm now due to this one way system and the amount of cars parked on the road (Oak Avenue in particular).

I find it astonishing that a further 100 households are expected to use this route and Oakhurst Rise. Oakhurst Rise is not an acceptable entry point by any stretch of the imagination.

Oakhurst Rise is a very steep road.

Oakhurst Rise is not wide enough to accommodate the number of additional traffic.

In winter when the Rise becomes icy and snowy it is the residents who have to grit the road for access. The council has never gritted this road. At times when I lived there the Rise was inaccessible and residents had to park their cars at the bottom of the hill.

33 Brookway Road
Charlton Kings
Cheltenham
GL53 8HF

Comments: 1st September 2017

Letter attached.

Overdale House
Ashley Road
Cheltenham
Gloucestershire
GL52 6NU

Comments: 6th September 2017

Thank you for your letter of the 22nd August regarding the outline application referenced above. After due consideration and reviewing existing public comments on the Council website I would offer the following:

- The land is currently owned by the Trustee's of the Carmelite Charitable Trust (CCT) and leased to St Edwards School and used by the Senior, Junior and Prep Units.
- The CCT is registered for such charitable purposes as shall advance the religious and other charitable work for the time being carried on by or under the direction or with the support of the Carmelite Order in England and Wales or elsewhere as the Trustees with the approval of the Provincial shall from time to time think fit and if at any time the Carmelite Order shall cease to exist or shall cease to carry on religious or other charitable work then for such other lawful charitable purposes connected with the advancement of the Roman Catholic religion as the Trustees shall determine.
- Therefore developing or selling this school land for the construction of non religious property may conflict with the Charitable status and if so, the CBC may be complicit in CCT's breaking its status.
- My own sons attended the then Whitefriars School which was run and housed the local Carmelite Order. The ground under consideration for development was regularly used for cross country and also for the ecology studies of plant and animal life. The land is still used on a regular basis by other public and state schools for County meetings.
- If this Greenfield development takes place this number of houses will be at the highest level above sea level since Battledown Estate was founded in 1859 and cause another blight on the otherwise green space viewed from the surrounding escarpments above the town.
- The current route proposed is via Oakhurst Rise and even if the development seeks a second entry/exist via Charlton Court Road, some additional 250 vehicles will be seeking a route through the one way Ewans Farm complex with its traffic calming and on road car parking. Entry or exit via any new or existing route onto the private roads of Battledown Estate will be denied by the Trustee's. Rerouting public transport onto the new estate will not improve the situation. The nearest Junior School is in Battledown Approach which cannot be easily accessed.
- It is already difficult to gain an appointment at the Sixways Health Centre, an additional 300-500 will stretch the Surgery even further.
- Drainage off the hill is a major issue which will be compounded by several hectares of concrete and tarmac. In the 2007 downfall the head of water coming off Battledown was such that manhole covers 'blew out' half way up Ashley Road as the water built up in the Sixways area.
- As listed by others who have made comment on the application, there are many other aspects where this development would conflict with National, County and town planning statements.

I therefore object to this development as it brings no value to Cheltenham's ambiance.

Comments: 14th May 2018

Comments previously made concerning the original application stand. In addition we would like to highlight that in the last six months HMG has made specific recommendations that School recreational facilities should not be used as common building land. Additionally the Department of the Environment has recommended that 'green transit pathways' should be created to allow wild-life passage. The fields have been fallow for many years and since 1947 the hay has been cut once per year and Whitefriars and now St Edwards have used the land for cross-country and nature studies.

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The proposal is for up to 40% social housing, the residents of these units are likely to have young families - I do not see any specific recreational areas or 'village greens' which would allow children to play outside of the street.

Cheltenham is proud to be a 'green town' with public gardens and wide residential street lines with mature trees. This site is visible across a wide area, indeed at 300' above sea level it would be the only such dense housing area at that height within the Borough. Individual houses are at that level around the escarpment edges but tend to blend in with green surrounding areas and trees. This 'raw' dense proposed complex would be an eyesore above a historic Regency town.

The traffic coming and going to the estate has to enter the site via a narrow and steep hill servicing some small bungalows. Once off that road it joins the Ewan Farm one way system, thus exiting and entering traffic will be in a merry-go-round over traffic calming and parked cars in what was designed as a Council Estate. The families currently living there will be a constant risk if the children go out to play.

Cheltenham needs housing but this particular field has more 'value' to local lives in its current status.

Fieldway
Ashley Road
Cheltenham
Gloucestershire
GL52 6NU

Comments: 12th September 2017

We object on the basis of poor access to the site, the increase in traffic that this development would bring and the knock on safety and environmental implications.

Local facilities are already stretched, and an additional number of homes of this or similar scale in the area would burden these further. Namely local schools and health provision.

The area is surrounded by housing and utilised by the school for recreational activity. Developing this site would be detrimental to the area in terms of lost green space, well used by many families in the local community who benefit from the facilities provided by St Edwards.

Southern Lawn
Ashley Road
Cheltenham
Gloucestershire
GL52 6NU

Comments: 9th September 2017

Thank you for your letter of 22 August concerning the Outline Planning Application.
We object to this application.

Many of the previous objections express our concerns in an extremely thorough and careful way. Rather than repeat points, we wish therefore to endorse in particular those expressed by Meadow View (06.09.2017) and 17 Oakhurst Drive (17.09.2017).

I can also confirm that we were told during the consultation meeting that, "The trees with TPOs are of no merit, so they will come down." (Meadow View objection, point 1.2). I had asked why the TPOs were not marked on the proposed development plan. When questioned further, the developer's representative said that providing housing outweighed the value of preserving these ancient oaks.

For me, this one interaction perfectly sums up the developers' dismissive attitude towards important issues such as:

- the local planning policy
- the obviously unsuitable access route
- the visual impact on the environment from the AONB
- the loss of amenity to local schools
- the flood implications of additional hard landscaping across the spring line,
- all the disgruntled or murdered little bats, badgers and newts.

To lose this greenfield site, used by several schools and visible from miles around would be a shame. To deal with the consequences, such as the increased flooding risk and traffic mayhem would be expensive. The benefits to a few developers would be significant, but it is difficult to see any benefits at all to the community.

Dunkeld
Ashley Road
Cheltenham
Gloucestershire
GL52 6NU

Comments: 1st September 2017
Letter attached.

Ash Tree House
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 8th September 2017
I strongly object to this planning application.

My comments are focused on two areas;

1. The outline planning application in general.
2. Specific aspects of the planning application which pertain to the proposed development in regards to the boundary properties.

1. i) Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." It clearly has a unique environmental impact with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. It is a unique site that it is surrounded by buildings on all 4 sides, it is visible from the AONB areas. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham.

Also, Charlton Kings Parish Plan was published in April 2017 by the parish council to provide guidance for the next 5 - 10 years. It was produced by a public questionnaire and parish meetings. Page 8 states "a clear consensus emerged that development on open land and green spaces should not be allowed.". Page 9 states "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land"

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This site is not listed for development by the Parish or Cheltenham Borough Councils, and it provides a valuable green field amenity for many local activities which would be lost if the development were to go ahead.

1. ii) Access available to the site is grossly inadequate to support the significant volume of road traffic that would be generated by so many houses in this location. Beyond the immediate site access issues, the existing traffic issues on the busy London Road / Hales Road junctions would be exacerbated. The objection already posted from 'Tall Timbers', dated 1 Sept very clearly and comprehensively articulates this issue(s) and should be considered a 'must read'.

A recent planning application for new houses to be built on brownfield site in Tim Fry area was rejected, one of the main reasons for this was due to impact on the local traffic. Prior to this another proposal to build 30 homes off Charlton Court Road was also rejected due to unacceptable traffic and the risk of flooding.

2. i) Loss of local character as the proposed density of housing on this site would be circa 23 homes per hectare. In contrast, the site is zoned in Battledown by Cheltenham Borough Council for planning purposes which has a housing density of just over 4 homes per hectare.

Our property is Ash Tree House on Birchley Road, next door to Coversdown which is directly adjacent to the site on the Northern boundary. Under the proposed development plans, there are 6 new properties that border Coversdown, these are plots 1-6. Specifically, plots 3, 4, 5 & 6 are 3-storey dwellings which due to the higher elevation of the land would dominate over our houses and look directly down into our properties and back gardens. These are clearly not part of the "low density housing area" that have been suggested around the Eastern boundary. As such, the proposed development is not in keeping with the existing properties that surround [all] the site.

2. ii) Historically there have always been significant issues with surface run off and groundwater flooding around the site. The proposed development site is clay, with steep slopes. There are natural springs in the area and complex drainage systems. This will inevitably lead to increased flooding risks on the lower aspects of the proposed site and definitely to lower lying properties. A comprehensive comment from 29 Oakhurst Rise, details underground springs in the area and list them on a map.

With regards to the above concerns it is respectfully requested that planning permission for the above development be refused.

Comments: 3rd March 2018

Having reviewed the additional materials, I wish to reiterate my strong opposition.

Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." This site is a wonderful undeveloped area and is part of the critical green space that goes to form Cheltenham, which has been used by the local school(s) and wider community for decades.

The additional materials submitted do not resolve any of the issues recorded previously in all the comments submitted to date, and it is respectfully requested that planning permission for the above development be refused.

Comments: 13th May 2018

Having received the Council's letter dated 30 April 2018 and reviewed the revised materials. I can confirm that my previous objection and reasons for such objection to this planning application remain.

The nominal reduction to 91 dwellings and increased 'affordable housing' provisions are not a material change. The planned scale of development remains completely inappropriate for this

site. Access to the proposed site is restrictive, with a very steep aspect to the approach and narrow roads that are not adequate for such a development. The site is located close to the AONB and is an extremely valuable resource for the school, local community and wildlife.

The revised materials submitted do not resolve any of the issues recorded previously in all the comments submitted to date on the portal, and it is respectfully requested that planning permission for the above development be refused.

Pinewood
12 Battledown Drive
Cheltenham
Gloucestershire
GL52 6RX

Comments: 6th September 2017
Letter attached.

11 Battledown Drive
Cheltenham
Gloucestershire
GL52 6RX

Comments: 10th September 2017
I am writing to strongly object this application.

It is already very congested on Hales road at the peak time. 100 new houses means additional 100 cars at least which will without no doubt make the situation worse. Not to mention the already stretched public school and GP resources.

21 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 13th September 2017
Letter attached.

17 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 7th September 2017
The access is quite simply not suitable. A one way system, busy commercial premises and housing with parking inadequate for modern levels of car ownership all combine to create an already busy access to the potential development.

The 7.5 ton limit signs are a clear indication the route is unsuitable for large amounts of traffic both in construction and potential occupation.

Oakhurst Rise it's self must be one of the steepest roads in Cheltenham and is particularly badly suited as an access route, the transport plan appears to make no mention of its gradient, a danger in the summer let alone in the wet or even ice and snow!

Page 205

The suggested figures of a mere 45 or so vehicles coming out of the site at peak times seems exceedingly low, from 100 households are there really only 45 people working or taking children to school, what on earth are the rest doing?

This is just the very local impact, look then at the already busy routes around the hospital, Leckhampton and further afield and it should be clear more traffic is going to impact negatively on people's quality of life both at home and whilst travelling.

The plans indicate the site to be within walking distance of town, nice as this thought is I doubt very much residents would walk into town, it's around a half hour walk each way (to Oakhurst Rise, let alone into the proposed development) with a very steep climb with your heavy shopping at the end of the walk, realistically people will just jump in their car to drive to town. I do not believe this site can show a low level of reliance on motorised transport as suggested by the application. The thought is nice the reality is that people will just jump in their cars.

I urge anyone involved in the decision making process to come and look for themselves at the routes to and from the site and to get right to the top of Oakhurst Rise, preferably in a car and on foot.

An application from the school for an outdoor farm shows a clear desire for outdoor learning, why curtail this type of learning in the future by developing potentially valuable learning resources in the pupil's doorstep. If we build on all green sites especially one so beautiful and mature as this we will have none left.

15 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 13th September 2017
Letter attached.

11 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 13th September 2017
Letter attached.

5 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017
Letter attached.

Comments: 11th September 2017
The above application needs to be rejected as flawed on all sections

3 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017
Letter attached.

1 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 5th September 2017
My objections to the development:

Proposed main access (via Ewens Road and Oakhurst Rise) highly inadequate; Ewens Road in particular, where it meets Churchill Road, and the 'give way' junction is rarely stopped at, causing many near collisions over my time here

Challenge Motors and other businesses also cause massive congestion when parking their vehicles far too close to the pedestrian island at the top of King Alfred way, which would make it almost impossible for emergency vehicles to access the area

Emergency vehicles would find it incredibly hard to access the newly proposed development, due to the very steep, and once again inadequate access point, at the top of Oakhurst Rise

Traffic congestion on the London Road at peak times is already ridiculous, and adding 200+ cars into that will create further chaos

Oakhurst Rise is on a BLIND corner

Schools and doctor's surgeries are saturated in the local area, and the A&E is closed, making Cheltenham's infrastructure inadequate with regards to increasing the population at all

Pollution levels will rise, and bungalows with bedrooms on the ground level will mean the air quality may place asthma sufferers, etc. at risk

Noise pollution will rise, possibly lowering house prices and destroying the road's main essence, peace

Elderly and disabled residents will be massively disrupted

The road (Oakhurst Rise itself) is un-usable in icy weather. We residents have had to grit the road ourselves over the past few years

The sight of roofs over trees is a no brainer! We want our natural land to be preserved, please.

Blocks of flats will sully the area completely.

33 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017
Letter attached.

34 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 1st May 2018

When considering connecting the site to the sewer in Charlton Court Road it must be noted that at the time that it was built there was concern about the effect that the Charlton Court Road estate would have upon the flood risks lower down.

To reduce flood risks lower down, large tanks were built under Charlton Court Road which in times of heavy rainfall would release water slowly into the nearby river.

If the amount of water flowing into the sewer in Charlton Court Road were to increase, it would have the effect of potentially overwhelming this system and causing flooding in Charlton Court Road.

Equally, if water from the proposed development were to enter the Charlton Court Road sewer below these holding tanks, then the effect upon the river below could be to cause it to flood even more than it currently does.

36 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 13th September 2017

After reading objection after objection posted on this site, along with some absolutely fantastic arguments why the development should not go ahead, and having been amazed by the amount of time and effort the residents of Charlton Kings have gone to in-order to try to prevent this planning application from going through, by demonstrating their passionate desire to protect the environment, the infrastructure of the community, the wildlife, the hedges, the trees etc. from the long-term damage that a 100 new homes, 100's of cars and 400 new residents would make.

I am at a loss to know what all the fuss is about!

I am also at a loss to understand why this application should not be immediately approved by Cheltenham Council hence my decision to come out in favour of the poor old Property Developers, and also in the hope that they may also offer to buy my house as well, at a hugely inflated price even though it is on the wrong side of Charlton Court Road, however saying that it may prove useful and provide a large turning circle for the countless lorries, diggers, cranes etc. that would be required to build 100 new homes.

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Having never walked or driven up Oakhurst Drive in my life, even though I've driven passed it nearly every day I decided to take a walk up there a couple of months ago, and found it to be completely unremarkable, lots of nice bungalows, lots of elderly residents with their cars parked on their drives during the day, but what was most unremarkable of all was the complete lack of noise, and lack of traffic, one can only think that this may have been a criteria used by the residents of Oakhurst Rise when choosing to move into the area.

Now having decided to buck the trend, since I am now of the opinion that the poor old Builder who has invested over £1 million whilst only trying to look after the poor people of Cheltenham, by proposing the construction of 100 new homes with no social housing element and thus enabling all 400 new residents to join our wonderful community.

In conclusion.

Please, Cheltenham I beg you..... let this development go ahead since it would be terribly sad if the Developers were unable to recoup their massive investment and make loads of money, and as we always say money talks.....But you don't always have to listen.

37 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 12th September 2017

We strongly object to the development. The scale is such that it would have a huge impact on the traffic on surrounding roads, notably Oakhurst Rise and Beaufort Rd. Traffic turning left from Beaufort Road where it joins Oak Avenue is already at times hazardous as cars have to venture onto the opposite side of the road to pass parked vehicles. The many dozens more cars that would be coming down from the proposed development would increase the risk of accidents at this junction and others on the Ewens Farm estate. These roads were not built to cope with the numbers of cars already using them as a rat run, let alone the presumably 200+ additional cars that would be added by this proposed development. Given the steepness of the site it is highly likely that cars would be the main mode of transport to those properties. London Road too, although a main road, gets very congested already at peak hours and would only become more so.

The steep terrain also brings with it issues to do with rainwater runoff and flooding. These could have serious implications for those living below the site whose properties would be put at risk. With such a large area that has currently not been built on being covered, large quantities of water that would have soaked away will now need diverting. The soil in the area is heavy clay, making this even more of a concern, particularly so near to the flood catchment area at Cox's Meadow. Flooding has affected Cheltenham so must surely be of great consideration.

The loss of a green space isn't only worrying for these practical reasons, but also in a wider context. If we continue to lose these unspoilt natural habitats, wildlife is threatened by islandisation. For the greater good of our natural capital we must prevent this from happening and protect such untouched sites.

Another thing to note if this were to go ahead is the massive increase in pressure on local services, notably the GP surgery and local schools which are already heavily subscribed.

38 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 8th September 2017

As residents of Charlton Court Rd we are concerned with the proposed DRAINAGE EASEMENT coming into our road.

There are already two houses being built in Beaufort Road by Charlton Court Road and along with the proposed new hundred homes all joining our facilities, the impact will be great. So to propose a drainage easement also coming into Charlton Court Road does not seem feasible. It makes sense that an easement should surely be directed away from an overloaded system to the other side of the proposed development, namely Ashley Road. This part has no houses near to the school and we cannot see why the access to the new homes was not made this side.

In the past years Charlton Court Road has suffered Flooding in gardens and in the bungalows, so on that basis the drainage systems that are in place, have not been able to cope.

39 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 12th March 2018

As a resident of Charlton Court Road (no.39), I am writing to you with a degree of disbelief and concern at the prospect of the proposed new housing development on the fields adjacent to the top of our close.

There have been repeated issues with the drainage and sewerage system leading down from the houses higher up, which have required Severn Trent to come and carry out emergency work involving diggers, pneumatic drills, etc in my back garden late into the evening, in their attempts to unblock and free up the current drainage system. It is becoming evident to me that the present system is already struggling to cope with our existing waste, so when I heard that there are now plans to link up a proposed 100 new properties to the existing drainage system in the close, I was incredulous. There is no way the drainage system in Charlton Court Road can handle such a large scale increase in waste and it would lead to much disruption, distress and not least, a health hazard.

In addition to the existing issues of inappropriate road access via Oakhurst Rise, damaging the existing ecology of the site and the interfering with balance of the already high water table, I sincerely hope the committee gives this issue of drainage into Charlton Court Road, some very serious consideration. What I have described above is the reality of the current drainage system. It would surely be an insanity to increase the load upon it and by such a massive degree.

Thank you for reading and registering this new information..

Claire Cottage
32 The Avenue
Cheltenham
Gloucestershire
GL53 9BL

Comments: 2nd September 2017

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I object most strongly to this plan. Not only will it be totally inappropriate in an already overpopulated and very busy area it will also be the loss of a valued and essential area of green space which is utilised by the community.

The impact on wildlife which already is being eradicated at great speed and the loss of trees is totally unacceptable. Flooding is also a serious problem and it is vital that the council listens to the concerns and views of people who live in this environment and will have to bear the brunt of the committee's actions.

Comments: 5th November 2017

Once again, we have to fight for what should be obvious. The removal of land that is a vital green area and currently used constantly by local residents. The increase in traffic will be horrendous and the chipping away at our small amount of green land is a continuous battle. Will the council not be happy until it has paved over every green area without a thought for anything other than their own profits? Disgusted.

Comments: 17th February 2018

Once again, this totally unsuitable plan has been resubmitted with as usual the views of local residents being treated with at best indifference at worst contempt.

I would like to reiterate my complete opposition to the plan on the following grounds.

1. This is a greenfield site and should be respected as such. It is a home to many diverse species and habitats and has many beautiful trees. Greenfield sites should be respected at all costs, and should be considered above the financial gain of builders and planners. This area is already extremely busy and the London road interception is always a bottleneck. The impact of over 100 extra homes will exacerbate an already horrendous situation, as well as impacting on the local infrastructure of doctors, chemists etc. The area will become an obvious flood risk as it acts as a soak away and with this area concreted over, flooding will be a serious problem. Have you not learned anything from the floods we see every year caused by unsuitable and excessive building work? Finally, this is a local heritage, well used by all the community, although you have tried to deny this, it is the reality. Every year there is a wonderful bonfire display which I have attended since being a child at St Edwards, well the convent as it was then. We need green spaces. Once you erode these areas and habits they are gone. For once, why don't you listen to these concerns instead of riding roughshod over what people actually want?

15 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JS

Comments: 1st September 2017

We strongly object to this housing development as it will impact on the environment and increase traffic flow around our homes.

Comments: 1st September 2017

Object

5 Glynrosa Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QR

Comments: 1st September 2017

Page 211

As a local resident to Charlton Kings I object to the plans of 100 houses at Oakhurst Rise.

My reasons being the significant negative impact to traffic in an already busy location. The loss of ancient trees & hedges, the impacts to wildlife. The loss of a green space used for recreation purposes. Visiable eyesore from Charlton Kings, negative impact on extremely busy local doctors & over subscribed schools.

54 King William Drive
Cheltenham
Gloucestershire
GL53 7RP

Comments: 3rd September 2017
Letter attached.

Comments: 28th February 2018
I wish to maintain my objections to the above application submitted in my letter of 3 September 2017.

I do not believe that any of the many revised drawings make the scheme less unacceptable.

There has been no reduction in the number of homes proposed and thus

- No reduction in the harm to the biodiversity of the site
- No reduction to the overwhelming number of domestic, service and delivery vehicles inevitably to be generated up and down the totally unsuitable Oakhurst Rise access
- No possibility that this number of journeys can to any extent be mitigated by modal shift to bus, cycling or walking up and down the discouraging 1:11 slope up to the site.

I note that the Cheltenham Plan Pre-Submission Draft, although including Land off Oakhurst Rise as Allocation 12, recognises the constraints on the site and suggests a limit of 25 houses, and only then if they met a rigorous set of conditions.

(It should also be noted that the supporting Sustainable Transport Document in error states that there would be 150 affordable homes, 0.9% of whose residents might use underground, tram and light rail to go to work!)

7 St Judes Walk
Cheltenham
Gloucestershire
GL53 7RU

Comments: 27th August 2017

I am a Cheltenham ratepayer and you have a responsibility to protect my property from flood damage. The Lilley Brook flows through my garden and regularly floods after a thunder storm. I would like your assurance that this planning proposal to build a large number of houses on a flood plain area up stream will not raise the risk of flooding of my property.

45 Beaufort Road
Charlton Kings
Cheltenham
GL52 6JS

Comments: 29th August 2017

Volume of traffic through Ewens farm. Estimated number of vehicles per household 2 cars minimum plus potential vans and HGV further impacting on Ewens farm and increasing safety risk

Junction from Oakhurst Rise on to Ewens farm is 2 way traffic.

Noise pollution

Increased carbon emissions on air pollution

Potential to increase flood risk

Impact on school provision of places

Impact on GP services

Loss of unique habitat for protected wildlife

Unsuitable access to and from the proposed site through narrow winding road up steep hill.

5 Coronation Flats
Oak Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JF

Comments: 22nd August 2017

(1) Additional traffic, access and pollution

The main two access roads towards/from the site are Ewens Road and Beaufort Road. Residents in the area face the prospect of 100 or more extra cars per day coming down Beaufort Road. This is a narrow road with necessary parking on the Eastern side and is also used by buses and, at times, as a short cut by vehicles around rush hour.

It is a quiet residential road with good quality air, which will become heavily used with this development adding to pollution (noise, air and headlights). Where the road joins Charlton Court Road and Oak Avenue there are also issues with traffic because of the width of the road which would be further exasperated by extra traffic.

The other access to the site is via Ewens Road, which is equally narrow and two-way. It is also necessary to go up this road in order to access Beaufort Road. From the south this requires a right turn from Churchill Drive, which will become a lot more difficult and dangerous if the traffic in both directions along Ewens Road is increased.

The only area which would not face this substantially increased number of vehicles as through traffic is the site itself.

(2) Safety of walkers (especially school children)

The route from the alleyway starting in Roosevelt Avenue out to Beaufort Road is regularly used by school children on their way towards the schools in Charlton Kings. This route ends by crossing the bottom of Beaufort Road and also by crossing Charlton Court Road from West to East. The increased traffic along these two roads will add to the danger faced by school children and also the elderly on their way to the SixWays shopping area.

Comments: 24th August 2017

Additional point to earlier comments:

(3) Proposed housing density

According to the Battledown Estate site <http://www.battledown.co.uk/covenant.asp>, in the Deed of Covenants and Regulations , number 5 states "No person is to build on the Original Lots of Estate land more houses than in proportion of one house to each half acre of land". This Estate is adjacent to the site and the proposed density of the site is 23.3 units per hectare which equates to 4.71 units per half acre of land. This is considerably more than the allowed adjacent density of 1 unit per half acre of land.

Comments: 24th August 2017

(4) Concern over surface water, artificial drainage and other flooding

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

The flood zone map created 26 March 2008 shows on page 4 a preponderance of incidents of "Recorded Flooding" in both the categories of "Artificial Drainage" and "Unknown" following the line of Oak Avenue which is at the base of the hill running down from the site. Anyone who has dug their garden or who remembers the old brick works will know this is an area of clay soil, which is always damp.

Below the play area in Churchill Drive I remember Severn Trent Water installed an underground shaft storage tank in 2003 (03/00352/FUL refers to it)

Additional housing, roads and concrete driveways will add to the water draining down towards the areas prone to flooding and add to the drainage feed under the children's play area in Churchill Drive

Comments: 25th August 2017

Additional points

(5) Loss of potential historical hedgerow lines

The manors of Ashley and Cheltenham were ancient manors and Ashley Manor dates back at least to the 14th century in records.

Ashley had passed through descendants of the original Walter of Ashley until in 1386-7 it was sold to William Grevill of Campden the woolstapler;
<http://charltonparkcheltenham.org/history/timeline.php>).

The site is part of that manor and very possibly the western boundary, The Hedgerow assessment states in 5.5 "With respect to criterion 4, there were no records to indicate whether the hedgerows marked or were associated with a pre-1600 estate or manor. "

Given that the Manor of Ashley (not to be confused with Ashley Manor, which was formerly Oaklands) dates back to the 14th century and will have a boundary with the manor of Cheltenham, it is incorrect to say that Hedgerow 1 and Hedgerow 2 are not associated with a pre-1600 estate or manor

(6) Charlton Kings Parish Plan published April 2017

This plan was published by the parish council to provide guidance for the next 5 - 10 years. It was produced by a public questionnaire and parish meetings. Page 8 states "a clear consensus emerged that development on open land and green spaces should not be allowed.". Page 9 states "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land;"

Therefore this development is contrary to the conclusions drawn by the Parish Council and the residents of Charlton Kings.

Comments: 9th September 2017

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Another objection I have is that this development has no social housing element. On the contrary the increased traffic, flood risk and removal of the green elements from Ewens Farm Estate's neighbour will blight the lives of the social housing tenants, whilst the residents of the new housing will remain happy in their position high on the hill above in their cul de sac and driving in their cars through the social housing area.

Comments: 19th September 2017

A further point I want to make on the subject of flooding relates to the former rubbish tip lower down the hill below the site.

As a child I remember the big deep hole filled with water that was just below the proposed housing site. It was the remains of the brickworks. www.gsia.org.uk/reprints/2002/gi200204.pdf . I also remember 10 years during which the town rubbish was dumped into the hole before it was turned into a sports field. So we have the prospect of excess water caused by the building of these houses running underground through 10 years of Cheltenham's rubbish to goodness knows where.

In particular read the lines in the pdf document quoted which say " The record heavy rains in late 2000 and 2001 proved the surface drainage to be totally inadequate, as the vast, impermeable clay bucket filled up and overflowed. Sodden and rather strangely coloured areas and semi-permanent ponds began to appear on the surface: it seemed that a large lake still existed down at the bottom of the old clay-pit and that subsequent drying-out would probably increase the distortion at the surface. "

Comments: 24th February 2018

These are further comments to my previous ones, which relate to the latest documents issued by the developers.

(1) Residential Travel Plan

The Residential Travel Plan is not realistic. It takes no account of the steep incline to and from the site (and also within the site). This would deter many people, particularly the elderly or inform, to walk to the local facilities, especially with heavy shopping. A recent test run by "Friends of Charlton Kings" reports that a fit 15 year old person takes about twice as long to walk the route than stated in this document.

The only bus which passes close to the site is the P/Q bus which only runs every two hours. Bus P leaves Oakhurst Rise stop at 08:55, 10:55, 12:55 and 14:55 only. The return bus Q leaves Six Ways shops at 09:55, 11:55, 13:55 and 15:55 only. Therefore any visit to the shops, chemist, doctor etc has to be completed within one hour or the person would have to wait another 2 hours before being able to return.

Such a person would be unable to go to any of these facilities on a Sunday since no bus runs.

The alternative of using bus B to local facilities is unrealistic, because the nearest bus stops are in London Road, which is almost at the facilities themselves. Furthermore the bus stops nearest to Charlton Court Road on the South side require crossing the busy A40, with no pedestrian crossing or traffic islands at that point. The only crossings are near the facilities themselves.

So the most likely scenario is that residents of the site would use their cars.

(2) Landscape and Visual Impact Assessment

This document states "Receptors will typically be engaged in other activities limiting the degree to which their attention is focused on the landscape. Views are low value due to their location within an area without landscape designation. Description".

This statement is arrogant in the extreme, suggesting that pupils and teachers should not be distracted by the views outside during lessons. It also completely ignores the fact that the landscape and visual impact of the surrounding provides a valuable lesson to pupils even at playtime

This fact is clearly seen in this video from St Edwards school showing the pupils talking and playing in the fields and in particular one girl saying how valuable the surroundings are.:

<https://www.youtube.com/watch?sns=fb&v=UaZYwgi7GOY~p=desktop>

Comments: 26th February 2018

I would like to add a further comment on the Residential Travel Plan. Table 4.1 in section 4.9 clearly shows that the developers consider there will be 595 extra trips to and from the site in a single day. There is just one road that allows cars to enter Oakhurst Rise and just two ways to exit from Oakhurst Rise, so the residents of the surrounding roads can expect a substantial increase in the number of cars going up and down their roads to at least 300 cars per day.

The residents of the proposed sight will not suffer this passing travel perched on top of the hill in their cul de sac, it will only be existing residents who have to put up with this extra noise, sound pollution, exhaust pollution, danger and more inconvenience generally

Comments: 3rd May 2018

(1) The paper "Local Green Space Topic Paper The Cheltenham Plan 2011 - 2031" published by the council and available on <http://consult.cheltenham.gov.uk/consult.ti/CheltPlan/> Shows in Appendix B that the nearby site "Ewens Farm Play Area" is given the status as "Designate", because "Highly valued site owned and managed by CBC. It is similar to several other Public Green Space sites but not designated. Currently has strong protection due to use and ownership but is also very special."

However the council seems to have already made up its mind about "St Edwards Field/land off Oakhurst Rise", also shown in Appendix B, stating "Do not designate". However it also points out the "specialness" of the site "The site was identified in the Issues and Options consultation as being a suitable for housing development. The reasons provided for the specialness of the site will be taken into account in any future masterplan. "

I fail to see how planning permission can be granted for a site that is equally special as a green space as the play area, and especially given the promise in Appendix B to take the specialness of the site into account in the masterplan.

(2) The small reduction in the number of proposed homes does little to change the fact that given 1 to 2 cars per family there will be significant extra traffic along the narrow residential approach roads. Furthermore there will be traffic for the inevitable deliveries to those properties, not to mention the difficulties of larger vehicles such as refuse collection, emergency vehicles , post office vans and so on negotiating the narrow and steep approaches.

It is absurd to suggest that most residents would go on foot or use public transport to get to Six Ways, because of the gradients (especially on the return journey carrying heavy shopping up Beaufort Road). The only bus going past Oakhurst Rise has a 2 hourly frequency, so it is unlikely that anyone "popping out" to Sixways for a pint of milk would wait 2 hours to come back - clearly most would take a car.

(3) The paper "Cheltenham Local Plan Allocated Sites Landscape and Visual Review" published by the council and available on <http://consult.cheltenham.gov.uk/consult.ti/CheltPlan/> Shows in "HD4 Land off Oakhurst Rise", the council seem to have made up its mind already stating "The Site has limited landscape value except for the mature vegetation located around its boundaries and in former hedgelines." Yet it contradicts this by continuing "It does however have visual links out to the wider landscape around the east and south of Cheltenham" .

It also makes clear in the document "However any proposed built form should reject the Site's elevated position, low density of housing to the north and east, prominent local position on raised ground and retention of the mature trees and wide former hedgerows".

So again there seems to be a plan to build here regardless ignoring the acknowledged environmental, local and historic aspects of the site.

98 Rosehill Street
Cheltenham
Gloucestershire
GL52 6SJ

Comments: 3rd September 2017

Pupils from the school where I teach have been attending cross country races at St Edwards school for a considerable length of time. Over the years there has been a decline in the number of spaces available for children to safely complete a challenging and enjoyable cross country course. The proposal will result in the loss of one of the best courses in the local area and will rob the Cheltenham school community of a valuable resource.

57 Bournside Road
Cheltenham
Gloucestershire
GL51 3AL

Comments: 11th September 2017

Hi I strongly object to this planning application. This land has been used for a number of years for a lot of cross country activities and there are no other courses like this in Cheltenham. This road has very bad access as it is adding more houses to this area will cause a major problem also around a school which is very close by. In addition to this several large events are planned annually and it would be a real shame to lose these fields.

10 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017

I object to this development on a number of different issues.

Severe traffic impact. The local roads in the immediate area to this proposed development CANNOT cope with the congestion this development would create combined with the additional pollution exposure to existing residents. The access to main roads is already severely congested and this development would create gridlock during rush hour periods.

Flood risk. This would severely worsen the risk of flooding to existing residents by building at the top of the River Chelt catchment.

Loss of green fields. The loss of green space and natural habitats can never be reversed and will be lost to future generations.

12 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 10th September 2017

I strongly object to this planning application. The impact on the local community will be huge and the dangers will be immense. Drainage and flooding are of great concern. The building of 100 houses will increase the risk of flooding which is already crucial in the area which suffers from flash floods. The drainage system is complex. Therefore it will be dangerous for all those houses particularly in the Charlton Court Road area. The two fields at St Edwards proposed for the construction should be designated a local green space not a building site. The area contains ancient hedgerows and many protected oak trees. Additionally, badgers, bats, hedgehogs, newts, slow worms, adders and dozens of bird species will be lost and destroyed. The affects of the increased traffic are obvious. More than likely there will be 200 extra cars navigating the steepness of Oakhurst Rise and the already congested roads of Ewens Farm where there is on street parking. Quite simply, it will be dangerous. Plus the extra pollution and noise which is not fair to householders already living in the locality. The area of green space proposed for the construction must be preserved as it is for present and future generations and the beautiful environment of Cheltenham.

Comments: 4th March 2018

This planning application is extraordinary for a number of reasons.

Firstly, the access through Oakhurst Rise is steep, curved and narrow. Awkward to negotiate in average weather conditions, never mind with the snow and ice experienced recently. Access through Ewens Farm Estate is not taken lightly by drivers who either live in the area or cut through from Hales Road to the London Road. To think this access is adequate for an additional 100 homes, with possibly an extra 200 vehicles, is crazy. Added to which the noise and air pollution will be considerable.

Secondly, drainage is a concern. Paving over such a large area to build the houses is bound to increase the amount of rain and waste to be channelled into the system of drains and sewers in the area. The possibility of flooding will be a worry for householders living lower down this steep area.

Thirdly, this is an idyllic spot in Charlton Kings which should be kept as a local open green space for future generations. The land is rich with trees and wildlife which will be endangered.

Finally, an organisation that conceived of such a plan should be themselves open to question as to their skills and motives.

Tall Timbers
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 1st September 2017

Letter attached.

Comments: 12th March 2018

Thank you for inviting me to comment on the slightly revised plans for residential development at Land Adjacent to Oakhurst Rise.

Summary:

The revised submission does nothing in relation to my primary objection to this development. I continue to object to the application for a variety of reasons but predominantly because it is inconsistent with the Local Transport Plan and creates a less safe environment and less efficient economy. The continued use of subjective inputs to models and resultant conclusions in the Transport Assessment plan, commissioned by the developer, lead to a deliberately misleading conclusion. The scheme would breach the advice given in the Manual for Gloucestershire streets 4th edition. It is clear from the weight of objections from others on this matter alone that public opinion requires an independent traffic and transportation analysis and this should be commissioned at the developer's expense.

By way of background I trained as a Civil Engineer, became a Chartered Engineer and Member of the Institution of Civil Engineers in 1986 and majored in transportation, road design and drainage. Schemes that I have been involved in include the M42, the M54, the A483 Oswestry by pass as well as many smaller road improvement schemes.

I have seen nothing in the revised documents that alleviates my concerns about the uneconomic and dangerous increase in traffic that would result on the roads adjacent to and including Oakhurst rise. For your ease I have repeated the main points from my letter to you in September last year. The following needs answering:

This application is inconsistent with the Local Transport Plan in a variety of ways. The layout of Oakhurst rise is entirely inappropriate and unsafe as a suggested feeder road for 100 new dwellings. This proposal will therefore reduce the safety of all travellers and compromise the principle of an efficient economy by adding to traffic delays.

The developer's transport assessments, commissioned by the developers to support their own argument, should be treated with care. The subjective criteria used in their modelling and the survey carried out to underpin their modelling appear to me to be designed to produce the most favourable figures to support the application. I highlight two examples below, there are more:

1. The demographics of the occupiers of the new development (typically young family residence and young professional) are likely to be different from those of the current residents in the area which include retirement type bungalows. The developers have chosen to ignore this and extrapolate figures based upon a similar elderly (and crucially less mobile) demographic. CI 6.8 and subsequent calculations of Transport Statement part 1 refers.

2. CI 6.27 of Transport Statement refers to left hand turns from the A40 onto the A435 and, although they acknowledge that vehicles do not currently undertake this movement the transport assessment has chosen to assign traffic to this route. This will create a false picture of traffic volumes on the surrounding residential streets that are currently used to avoid the left hand turn.

I note that the developer is suggesting that 248 parking spaces be approved for the site. The subjectivity that they have chosen to apply to their modelling leads them to suggest an increase in peak flow of only 48 vehicles per hour! My own estimate of over 150 vehicles per hour at peak times would be unmanageable and unsafe on the small approach road, Oakhurst Rise. I would encourage the planning officers to test this key assumption themselves using their own experiences of developments occupying young families. If it is assumed that only 90% of the parking spaces are occupied and only 2/3rds of those vehicles move in a normalised manner during the peak two hour period (07:00 to 09:00) one arrives at a peak outflow figure (using normal distribution) of 120 vehicles/hour. Add the inflow from returns from the school run and the burgeoning fleet of home delivery vans and 150 vehicles per hour is reached easily. Planners will

also note that a 90% occupancy rate of spaces is extraordinarily conservative. In fact, local experience suggest that more vehicles will seek to occupy the 248 spaces provided in the application leading to overspill on to local streets which will provide a further hazard on Oakhurst rise.

I would advocate that the planning officers consider commissioning their own independent traffic and transportation analysis at the developer's expense. The following publications should be considered once the planning authorities have findings from a reputable independently commissioned transportation consultancy:

- Highways Agency design manual for roads and bridges
- CIHT's Manuals for Streets 2 - Wider application of the Principles
- The Manual for Gloucestershire Streets.

The manual for Gloucestershire Streets states at 3.53 that "any departures or relaxations from national or local design standards should be fully justified." They are not fully justified in the submissions accompanying these proposals. It also states at 5.1 that "good connectivity between proposed development and existing services and facilities is essential if pedestrian and cycle journeys are to be encouraged." I can find no additional connectivity suggested in these proposals.

If the developer truly believes in his proposal to increase walking and cycling then the mixed use that this creates commands minimum widths of 2 metre wide footways and a 6 metre wide carriageway. Anything less from the designers and planners is clearly a compromise of the safety of the pedestrians and cyclists who would use the access.

The development will also make the other roads in the vicinity, particularly Beaufort Road, Charlton Court Road and Ewens Road considerably less safe. These roads named above should be examined for reclassification as local distributor roads if this development were to be permitted and higher traffic volumes created. An independent traffic count is likely to reveal much higher traffic volumes. As such these roads would typically be designed at 6 metre to 7.3 metres in width with 2 metre footways. Currently there are many places where this is not the minimum.

This scheme would also compromise the concept of an efficient economy by adding to the already lengthy peak time delays that are experienced in the vicinity of Sixways. Delays of ten minutes or more are common for vehicles using the arterial A40 corridor between the Hales Road traffic lights and the Eastern side of Charlton Kings. The addition of over 150 additional vehicles during peak times would only hinder attempts to reduce these delays.

Unless the Developer can provide a means to mitigate these fundamental transportation safety concerns and mitigate the strain on the surrounding highway networks through providing commuted payments towards the provision of walking and cycling routes and for use in public transport then this application should be refused. Finally, I would draw the planning officer's attention to the following shortcomings of the

Fremington
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 5th September 2017

I would like to object strongly to this application for several reasons:

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- this site is not listed for development by the parish or borough councils;
- the site provides a valuable green field amenity for many local activities which would be lost if the development were to go ahead;
- the site has extensive flora and fauna which would also be lost if the development were to go ahead;
- the development would significantly increase the risk of flooding to neighbouring properties as a large permeable surface would be replaced by impermeable surfaces;
- the access road would not be able to cope with the increased traffic flow and the exit onto London Road, which already is often jammed, would be difficult and dangerous;
- local facilities (schools, doctors, etc) would not be able to cope with the increased number of residents. They are already full and have no room to expand;
- many neighbours to the site would suffer from loss of privacy, increased noise, and other negative environmental effects;
- I would urge the Planning Committee to treat information provided by the developers with caution, as much of it is inaccurate, and listen to the wishes of the local residents. At the time of writing this comment (5 Sep) there are nearly 50 public comments and all of them OBJECT. Please understand that nobody wants this development.

Comments: 8th March 2018

The additional documents submitted by the developer do not address the significant issues with this application.

In particular this proposal does not fit into any strategic development plan of the town or local parish councils. Nobody locally wants this development and the local infrastructure (roads, drainage, schools, doctors, etc) cannot support it.

The community stakeholder engagement by the developers was poor at the start and has been non-existent subsequently (against planning framework guidelines).

The scheme does not meet CBC or national planning framework guidelines on green spaces which state that they should not be built on.

The Transport assessment rebuttal is a woefully unprofessional and inadequate report with inconsistencies, and assumptions that cannot be taken seriously.

If the development were to go ahead there would be significant loss of flora and fauna including ancient trees and hedgerows that could not be replaced. The field has also been used for years by local children for field studies and sports activities.

Comments: 13th May 2018

I strongly object to the revised application as it still does not address the following key issues:

- it does not form part of a local parish or borough development strategy and in fact contravenes national development guidelines.
- road access to the site is inadequate and cannot be increased.
- the flood risk has not been considered robustly.
- there would be great damage to local flora and fauna.
- local infrastructure (schools, doctors, etc) could not cope with such a development.
- there would be significant loss to local amenity and many views would be spoilt.

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There are literally hundreds of objections to this development, nobody locally wants or needs it. There are many inaccuracies and inadequacies in the application so please reject it.

Tor
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 22nd August 2017

My house Tor, Ashley Road, GL52 6NS backs onto the proposed development and I am objecting on a number of points,

1. The development will impact on my privacy, deprive me of light and overshadow my property
2. The proposed development sits on a high hill and will be negatively impactful from a visual perspective
3. I am extremely concerned about the additional flood risk to my property and do not believe the developers proposals will limit the risk
4. It flies in the face of the local planning guidelines and policies
5. It will generate traffic in the area and the road access from Oakfield rise is wholly inadequate to cope with the traffic additions through narrow streets and a very narrow access to the site as well as Highway safety allowing so many cars access along these roads
6. loss of protected trees
7. It does not take into consideration the loss of local wildlife, nesting birds, the prominent badger set on site, the fact that a family of deer live there
8. the local wildlife living in the long grass that I can assure you is wild and seldom cut, I live on the border and can assure you its full of wild life
9. The inaccuracy and blatant untruths contained in the Design and access statement produced by the architects which insults the intelligence of the local community and the planning board who they have submitted it to

Comments: 12th March 2018

Developers are twisting the truth

They have not developed a plan that deals with the flooding issues

They are putting at risk protected animals such as the badger set, other animals such as the family of deer that reside there

The developers have already ripped out ancient hedgerows which is illegal and this alone should ruin their credibility

There is no plan to protect the TPO'd trees and ancient trees on the plot

I live in Tor, Ashley Road, GL52 6NS that backs onto the proposed development, the new proposals mean i would lose even more privacy as more homes would overlook my property

Charlton Manor
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 11th September 2017

Letter attached.

Comments: 11th September 2017

"The Bloor Homes festival of cycling is part of Cheltenham Borough Council's vision to create a more active and healthy town, renowned for its commitment to car free travel".

What a wonderful, exciting proposition for Cheltenham.

It is therefore with some sadness that we note CBC is also currently considering a proposal to put 100 homes on land "off Oakhurst Rise" in Charlton Kings (17/00710/OUT).

That land could more accurately be described as the school fields of St Edwards primary school, and has been known since the 1960s as the school and county cross country course. St Edwards has produced Olympic hockey players, national level tennis players and more, and as this course is used for inter school, district and county competition, it has helped to get thousands of Cheltenham and Gloucestershire children outside, active, and interested in sport.

As objectors' comments note, this early active lifestyle lasts a lifetime, creating an enduring commitment to exercise.

The housing estate that is proposed instead has no cycle paths, celebrates extra parking spaces, and access is up such a steep hill that no-one other than a reasonable athlete would be able to walk the >1km to and from primary schools, shops and local amenities. It appears to be totally contradictory to the council's vision for the town.

Comments: 16th January 2018

We hear this proposal is coming out to consultation once again.

We would be really grateful if the next set of paperwork could ensure that:

1. the site location plan is accurate (currently it misrepresents the border with our property, and there is inconsistency between documents on the level of hedge / tree / other screening in place)
2. the "development mood board" is updated to remove the 3 properties with coastal views, unless this is dark humour on behalf of the architects about flood risk.
3. Given the expert view that SUDS is inadequate, we ask that there is sufficient attention on how surface water run off and spring water attenuated flood risk will be managed, noting comments from every property adjoining the site that we have:
 - a. suffered from ground water flooding repeatedly (not just in the floods of 2007) and
 - b. have various mitigations in place; sump pumps, flood cellars, extra underfloor drainage and more to cope with the movement of the Battledown springs and the excess run off that is generated across the Battledown hill.
4. we can have assurance that our own spring water sources will not be contaminated (while we have mains water, the Battledown spring is still a valuable source for residents, as it has been since Victorian times, cf the brick works).
5. that the drainage maps demonstrate how foul and surface water will be extracted without requiring access to private property (namely St Edwards School grounds; no explanation of how the new builds will connect with Charlton Court Road given there is no access between the two).
6. that the drainage maps accurately convey the linkage between new build drains and the existing (antiquated) Victorian sewerage and drainage system that currently serves our properties?

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Comments: 20th February 2018

Please can someone explain why the posted dates on documentation keep changing?

The most recent round of paperwork was posted on 9 February with a couple with a date of 28 January.

Now the dates have been changed to 3 January, without explanation.

We have highlighted this to the parish council and our local councillors, who are bemused.

I hope there is a reason other than attempts to rush this through before the local plan is finalised?

In addition, please can we be reassured there will be a proper highways report before the consultation closes. The figures the developers have given are, in the words of the parish council yesterday, "barely credible" but it is difficult to comment without the full set of reports available.

Comments: 14th May 2018

We call on CBC to throw out this application until and unless documents are submitted that bear some resemblance to the site in question.

Currently:

- the visual 'street scenes' imply the site is below local properties and easily screened. It is above the build line in Cheltenham, is the first eye line from the AONB as one enters Cheltenham from Leckhampton hill and is on the crest of a hill.
- the transport data is demonstrably wrong, some by factors of up to 50%. It is simply not credible to claim that any transport plan can support sustainable development when the base data is grossly erroneous
- the tree data is wrong, and has resulted in the Cheltenham tree officer being misled over which ancient and veteran trees are in scope for felling or impact
- the flood data is wrong, as it still fails to account for springs and standing water in the site. 160 year old ponds containing newts are filled in. Where does the water go?
- the topography of the site in the drainage map is wrong. It implies there is only a north / south slope; in fact the site also has a strong east / west slope into both Oakhurst Rise and the Ashley Road properties. We already have flooding problems in the properties on both roads, from ground water and springs.

Given the planning process is distinctly biased towards developers, please can CBC insist on accurate information on which to base a decision for such a controversial and deeply unpopular proposal?

Friends of Charlton Kings

Comments: 3rd July 2018

Letter attached.

Meadow View
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 6th September 2017

I would like to formally comment on the above application. I am deeply against this development and agree with the objections already listed to this date. Hence I will cover additional areas.

This covers 3 distinct areas: -

1. The quality of the stakeholder engagement so far.
2. The outline planning application in general.
3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to our property.

Hence in detail: -

1. The quality of the stakeholder engagement so far

1.1. I believe that the community stakeholder engagement was extremely poor. As a Birchley Road Battledown resident with my property forming part of the northern boundary of the proposed site, Syvret Media and SF Planning were unable to notify us of the proposed public exhibition, on challenge they stated "they could not find the letter box." In itself this may seem trivial, but I believe it shows a good example of the poor quality work, low cost work done by the developer and his choice of consultants and advisors.

1.2. The public exhibition was not well managed and the developers and advisors gave arrogant and off-hand answers - such as; "the trees with TPOs are of no merit, so they will come down."

1.3. The conclusions listed in the SF Planning Statement of community Involvement are astonishing for their bias. From their own survey only 3% of those surveyed would be "mindful to support the development" - this is covered in the conclusion as a "very enthusiastic public consultation process."

1.4. The conclusions state that following the process the application has been changed in a number of "significant ways". I strongly dispute this statement. At best, there has been some minor changes, but fundamentally the proposed development still has 100 houses, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities.

1.5. During the initial consultation period I entered email communication with Syvret Media and SF Planning (20 January 2017). I raised the following issues which have been ignored in subsequent submissions: -

1.5.1. Underground springs and complex existing drainage arrangements

1.5.2. Lack of secondary access for the site

1.5.3. Loss of amenity for St Edwards School

1.5.4. Provision of access during winter period of ice and snow

1.5.5. I offered to allow my property to be used for Landscape and Visual Aspect work. This was ignored.

1.6. As such I strongly disagree that the process has met the requirements of NPPF as stated in the SF Planning conclusions paragraph 5.3 and 5.4, I believe the stakeholder engagement has been a total failure.

2. The outline planning application in general

2.1. The proposed development fails on a number of critical areas that have not been considered in the application documents.

2.2. I find it inconceivable that for a development of this size and complexity there is only 1 access point. This is through Oakhurst Rise which was never designed for this purpose. Any form of incident (fire, flood, accident, road repair, large delivery) on Oakhurst Rise will render the entire development site inaccessible by car. This will result in residents abandoning their vehicles in surrounding streets and walking to their homes. In winter periods of ice and snow, Oakhurst Rise will have to take the full traffic for the estate. As a Battledown resident myself, I can confirm that even on gritted estate roads, properties can only be accessed by 4x4 vehicles or cars fitted with snow chains.

2.3. The topography of the site, though detailed is not commented upon that the internal roads on the proposed development will have a gradients of around 1 in 6 or 17%. This is extremely steep and will be a challenge for cyclists and walkers. The developers in the Residential Travel Plan are proposing that cycling and walking is used as way to reduce car travel. Though I agree this is a great idea for a flat site, the document is wholly inadequate as it does not take any notice of the topography of the site. It is quite apparent that the author of the report either never visited the site or was on instruction to avoid any mention of the gradients involved. The steep gradients will encourage greater car use, effectively resulting in the entire transport assessments worthless. Another example of an extremely ill-conceived project, biased reports from poor quality consultants and advisors.

2.4. As an example of the inadequacy of the access to the site, consider the following example. A parent on the new development purchase a property in the south east of the site, say location 81. They want to meet their child from St Edwards School, effectively close to bottom of their garden. There is no access to the school, so they have to travel up the development to Oakhurst Rise, with steep gradients. Come down Oakhurst Rise, Beaufort Road, along the A40 London Road, up Greenway Lane and up Ashley Road. In total over a mile. Then repeat the entire trip back home. As such they will inevitably use the car. This will add traffic to an already over-burdened road system at school start and finish time. Clearly, people will not tolerate this and as such holes will be made in hedges, fences etc which will impact on the security of the school and the proposed development.

2.5. The proposed development site is clay, with steep slopes. We know there are natural springs in the area and complex drainage systems. The preliminary ground investigation report, basically identifies that the site doesn't drain and as such complex drainage solutions will need to be found. From my perspective, this will inevitably lead to flooding on the lower aspects of the proposed site and definitely to lower lying properties. A comprehensive comment from 29 Oakhurst Rise, details underground springs in the area and list them on a map. I can confirm that a neighbouring property has an underground spring which appears in their basement, requiring constant pumping. At the bottom of our garden and just in the development site is a pond, listed in the Preliminary Ground Investigation Report and detailed as photo 8. This seems to be fed by springs and or ground water. No mention is made in the report as to what is done with this pond. As it appears to be in the back garden of plot 69 and/or 70 - a potential health and safety issue for families and a flood risk.

2.6. The Landscape and Visual Aspect report is heavily biased, using selective irrelevant locations and a thoroughly poor piece of work.

2.7. The loss of flora and fauna in the site is significant, with again inconsistent and biased analysis.

2.8. Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." So does the proposed development site meet the requirements of significant townscape and environmental contribution? It clearly has a unique

environmental impact with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. It is a unique site that it is surrounded by buildings on all 4 sides, it is visible from the AONB areas. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend that any normal person would agree the proposed development site meets this criteria - hence the application should be immediately rejected.

3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to my property.

3.1. Our property is Meadow View, Birchley Road. Under the proposed development, I will have 4 new properties that border my property, these are plots 67, 68, 69 and 70. These will be large 2 story detached properties, but do not deem to be part of the "low density housing area" that start immediately to the east.

3.2. On the boundary are 4 ancient English Oak Trees subject to TPOs. These are classified differently in the arboriculturalist's report as T19 and G1 (comprising 3 English Oaks), both of B3 classification. The Tree Assessment and Inspection Survey for Bat Roost Potential, only found 3 trees (not 4), all deemed tree of moderate potential. It is unbelievable that if a dawn and dusk survey was carried out by the trees, that the experts could not correctly count the number of trees. This questions entirely their competence to carry out such fieldwork.

3.3. In the arboriculturalist's report, he at least recognizes the 4 English Oaks with TPOs on the boundary, though what he proposes is unclear and inconsistent through his report. It appears as if some of them may be retained but others cut down. This is also reflected through the Landscape Strategy Plan and the Site Layout Plan. My personal view is that all the trees on site with TPO should be left alone.

3.4. In the Ecological Appraisal, section 3.14, photo 12, the ecologist recognizes the pond on our boundary. Claiming it was not there in September 2016, but was a large pond in February 2017. This pond is clearly identified within the Preliminary Ground Investigation Report drawing 4130/2/2 dated 8/11/16. However the ecologist describes it as an ephemeral pond (meaning - these ponds are depressions with impeded drainage, usually in forest landscapes, that hold water for a period of time following snowmelt and spring rains but typically dry out by mid-summer). Having lived in Meadow View for 8 years, I can assure you that the pond level does vary and will dry out during dry summer periods, however for most of the year it is wet and a source of life and used for birds and animals to drink. I do not know how this pond works, we do know there are springs in the area and the level increase rapidly after rainfall. The ecologist will be aware that ephemeral or vernal pools, do not have fish in them and as such can be excellent breeding grounds for amphibians and invertebrates, as we have seen. There is no mention in the planning documentation as to what is proposed for this pond. At present it appears to be in the back garden of either/or plots 69 or 70. The County Tree Officer in his report mentions this pond from his survey in January 2017 and states it would "not be appropriate in a rear garden". Yet again this shows poor quality work by the developer and his advisors, inconsistencies and avoiding difficult and complex issues. I have included photos from 4th February 2017 and 21 August 2017, both showing the pond full of water.

3.5. The Landscape and Visual Aspect Report, makes general mention of the impact the development will have on residents of Birchley Road, though it specifically avoids any mention of the most impacted properties such as Meadow View and Charlton Manor. This is a major oversight in the analysis, creating a clearly biased document. As stated in section 1, I offered the developers to use my location for their visual aspect analysis and before and after drawings. This was ignored, presumably because it would not help their cause. See attached "homemade" impression. Figure 1.

3.6. If there are such major problems with the proposed development for the 4 properties that border my property, it is reasonable to assume that the lack of thought, inconsistencies and bad design cover the entire proposed development.

In summary, the application fails for a multitude of reasons

- The stakeholder engagement has been poor, with few matters of substance being correctly considered.
- There are major oversights and omissions in the proposal in general
- The traffic issues have not been correctly considered, especially with the single access and topography of the site
- Drainage and flooding risk have not been correctly considered
- The quality of work from the consultants and advisors is inconsistent, biased, lacking in rigour
- Issues local to our property are totally inadequate, in particular the destruction of trees, the pond, drainage and visual impact
- The developer should apologize to the community for producing such an incompetent and poor proposal that has wasted our time

I would propose that the application is rejected on numerous grounds, the site is listed as a Conservation Area for future generations to enjoy and for preservation of the flora and fauna.

Figure 1

Before and after visual impact assessment from Meadow View looking south

Current visual situation

After proposed plot 67 and 68 built and TPO trees removed

Figure 2 - The Pond - 21 August 2017 (top) 4 February 2017 (below)

Comments: 1st March 2018

Letter attached.

Comments: 1st March 2018

Meadow View response to updated application 17/00710/OUT

I am deeply frustrated and annoyed with the ongoing process!

I strongly objected to the 2017 application and the 2018 application is equally unacceptable to me.

On 8 September 2017, I produced a detailed response to the application. At that time, I covered the following 3 areas: -

1. The quality of the stakeholder engagement so far.
2. The outline planning application in general.
3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to our property.

Hence, my new comment will follow the same approach.

1. The quality of the stakeholder engagement so far

1.1. In 2017, the community stakeholder engagement was extremely poor. In 2018 it has moved from extremely poor to non-existent. The developers, both William Morrison and the Carmelites have failed to engage at all. Clearly, they have spent significant time trying to "tinker" with the application, but it is unacceptable not to try a repeat a stakeholder engagement process. On this

ground alone, the application should be rejected as they have failed to follow normal process as outlined in NPPF.

1.2. The recent modifications to the planning application have not fundamentally addressed any of the major defects. the proposed development still has 100 dwellings, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities.

2. The outline planning application in general

2.1. The proposed development still fails on many critical areas that have not been considered in the application documents.

2.2. I find it inconceivable that for a development of this size and complexity there is only 1 access point. This is through Oakhurst Rise which was never designed for this purpose. Any form of incident (fire, flood, accident, road repair, large delivery) on Oakhurst Rise will render the entire development site inaccessible by car. This will result in residents abandoning their vehicles in surrounding streets and walking to their homes. In winter periods of ice and snow (as we are experiencing late February / early March 2018), Oakhurst Rise will have to take the full traffic for the estate. As a Battledown resident myself, I can confirm that even on gritted estate roads, properties can only be accessed by 4x4 vehicles or cars fitted with snow chains.

2.3. The Transport Assessment Rebuttal is an amazing piece of work, full of inconsistencies and remarkable conclusions. There is no sign of independence of thought in this document. It is interesting to see the proposed A40 / Hales Road junction improvement. Which I think the developer is suggesting he will cover with a S106. I would suggest that the improvements suggested are totally inadequate for a development of this scale. The correct S106 should cover road widening, traffic management, traffic calming, all the way from Oakhurst Rise to the A40 junction. However, I believe this would make the whole development hugely expensive.

2.4. The issues associated topography of the site have not been adequately considered in the updated application. The internal roads on the proposed development will have a gradient of around 1 in 6 or 17%. This is extremely steep and will be a challenge for cyclists and walkers. The developers in the Residential Travel Plan are proposing that cycling and walking is used as way to reduce car travel. Though I agree this is a great idea for a flat site, the document is wholly inadequate as it does not take any notice of the topography of the site. The steep gradients will encourage greater car use, effectively resulting in the entire transport assessments worthless. Another example of an extremely ill-conceived project, biased reports from poor quality consultants and advisors.

2.5. As an example of the inadequacy of the access to the site, consider the following example. A parent on the new development purchase a property in the south east of the site, say location 81. They want to meet their child from St Edwards School, effectively close to bottom of their garden. There is no access to the school, so they must travel up the development to Oakhurst Rise, with steep gradients. Come down Oakhurst Rise, Beaufort Road, along the A40 London Road, up Greenway Lane and up Ashley Road. In total over a mile. Then repeat the entire trip back home. As such they will inevitably use the car. This will add traffic to an already over-burdened road system at school start and finish time. Clearly, people will not tolerate this and as such holes will be made in hedges, fences etc. which will impact on the security of the school and the proposed development.

2.6. The proposed development site is clay, with steep slopes. We know there are natural springs in the area and complex drainage systems. The preliminary ground investigation report, basically identifies that the site doesn't drain and as such complex drainage solutions will need to be found. From my perspective, this will inevitably lead to flooding on the lower aspects of the proposed site

and to lower lying properties. A comprehensive comment from 29 Oakhurst Rise, details underground springs in the area and list them on a map. I can confirm that a neighbouring property has an underground spring which appears in their basement, requiring constant pumping. At the bottom of our garden and just in the development site is a pond, listed in the Preliminary Ground Investigation Report and detailed as photo 8. This seems to be fed by springs and or ground water. No mention is made in the report as to what is done with this pond.

2.7. The Landscape and Visual Aspect report is still heavily biased, using selective irrelevant locations and a thoroughly poor piece of work.

2.8. The loss of flora and fauna in the site is still significant, with again inconsistent and biased analysis. A few of the trees with TPOs are now preserved, but their roots will be close to foundations, which will lead to ongoing problems.

2.9. Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." The developer has made no comment on this issue. Presumably because this is an immediate "red flag" to the development. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend the application should be immediately rejected.

3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to my property.

3.1. Our property is Meadow View, Birchley Road. Under the proposed development, I will have 4 new properties that border my property, these are plots 66, 67, 68 and 70.

3.2. On the boundary are 4 ancient English Oak Trees subject to TPOs. These are classified differently in the arboriculturalist's report as T19 and G1 (comprising 3 English Oaks), both of B3 classification. The Tree Assessment and Inspection Survey for Bat Roost Potential, only found 3 trees (not 4), all deemed tree of moderate potential. It is unbelievable that if a dawn and dusk survey was carried out by the trees, that the experts could not correctly count the number of trees. This questions entirely their competence to carry out such fieldwork.

3.3. In the arboriculturalist's updated report, he at least recognizes the 4 English Oaks with TPOs on the boundary, though what he proposes is unclear. It appears as if some of them may be some impact on them, but they will certainly be in the back gardens of 68 and 69.

3.4. In the Ecological Appraisal, section 3.14, photo 12, the ecologist recognizes the pond on our boundary. Claiming it was not there in September 2016 but was a large pond in February 2017. This pond is clearly identified within the Preliminary Ground Investigation Report drawing 4130/2/2 dated 8/11/16. However, the ecologist describes it as an ephemeral pond (meaning - these ponds are depressions with impeded drainage, usually in forest landscapes, that hold water for a period following snowmelt and spring rains but typically dry out by mid-summer). Having lived in Meadow View for 8 years, I can assure you that the pond level does vary and will dry out during dry summer periods, however for most of the year it is wet and a source of life and used for birds and animals to drink. I do not know how this pond works, we do know there are springs in the area and the level increase rapidly after rainfall. The ecologist will be aware that ephemeral or vernal pools, do not have fish in them and as such can be excellent breeding grounds for amphibians and invertebrates, as we have seen. There is no mention in the planning documentation as to what is proposed for this pond. At present it appears to be in the back garden of plot 68. The County Tree Officer in his report mentions this pond from his survey in January 2017 and states it would "not be appropriate in a rear garden". Yet again this shows poor quality work by the developer and his advisors, inconsistencies and avoiding difficult and complex issues.

3.5. I do have major issues with the Ecologists report on HSI assessment of the pond on the boundary. He estimates that the pond has a drying factor of 0.01. From my understanding of the lowest value is 0.1. However, having lived in the property for over 8 years and discussed with the previous owners, this pond is generally wet and occasionally dries in drought period. As such, I would suggest a pond drying score of 0.2. This has a significant impact on the HSI with a revised score of 0.51. This means the pond is classified as "below average." Which is very different to "poor" and suggest a possible habitat for Great Crested Newts. This is assuming I agree with his other classifications such as shade, terrestrial habitat etc. It is unfathomable that the Ecologist has not tried to discuss this pond with me but has formed his own opinions based upon 2 site visits. Another example of poor and biased reporting paid for by the developer.

3.6. The Landscape and Visual Aspect Report, makes general mention of the impact the development will have on residents of Birchley Road, though it specifically avoids any mention of the most impacted properties such as Meadow View and Charlton Manor. This is a major oversight in the analysis, creating a clearly biased document. As stated in section 1, I offered the developers to use my location for their visual aspect analysis and before and after drawings. This was ignored, presumably because it would not help their cause. I repeat, I would be delighted to offer my property for visual aspect analysis.

3.7. If there are such major problems with the proposed development for the 4 properties that border my property, it is reasonable to assume that the lack of thought, inconsistencies and bad design cover the entire proposed development.

In summary, the application still fails for a multitude of reasons

- The stakeholder engagement has gone from poor to non-existent.
- There are major oversights and omissions in the proposal in general
- The traffic issues have not been correctly considered, especially with the single access and topography of the site
- Drainage and flooding risk have not been correctly considered
- The quality of work from the consultants and advisors is inconsistent, biased, lacking in rigour
- Issues local to our property are totally inadequate, in particular the destruction of trees, the pond, drainage and visual impact.
- Since the initial application, this site has been considered as part of the Cheltenham Plan - Pre-submission Consultation. In this document, it considers that 25 "units" could be considered for the site. This would appear to more realistic number. However, any development is in breach of Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." I will be responding to this consultation separately.
- The developer should apologize to the community for producing such an incompetent and poor proposal that has wasted our time and continues to waste time.

I would re-iterate my proposal that the application is rejected on numerous grounds, the site is listed as a Conservation Area for future generations to enjoy and for preservation of the flora and fauna.

Comments: 12th May 2018

So yet again, the stakeholders and neighbours involved in the Oakhurst Rise proposed development need to respond to now the 3rd minor variation of the developer's and the Carmelite Charitable Trust's ambition to destroy a natural habitat for personal enrichment.

The changes detailed in this third version are relatively minor and do not address the fundamental weaknesses of the application.

In addition, as a concerned member of the public, I have responded to the Housing and Mixed-Use Topic Paper - The Plan 2011-2031 (Issued CBC January 2018). In this document the plan

considers the site could possibly be considered for 25 properties. Personally, I have objected to that concept as well.

However, I cannot understand why both the developer and CBC, is allowing 17/00710/OUT to be determined in advance of the Cheltenham Plan, especially for such a contentious and ill-conceived application.

As this is the third response, I will state that I strongly objected to the 2017 application and the first 2018 application, this second 2018 revision is still totally unacceptable to me.

In March 2018, I covered the following 3 areas: -

1. The quality of the stakeholder engagement so far.
2. The outline planning application in general.
3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to our property.

Hence, my new comments will follow the same approach.

1. The quality of the stakeholder engagement so far

1.1. In 2017, the community stakeholder engagement was extremely poor. In 2018 it has moved from extremely poor to non-existent. The second 2018 application has had absolutely no stakeholder engagement, other than submitting a large number of slightly revised documents to the planning portal. The developers, both William Morrison and the Carmelite Charitable Trust have failed to engage at all. Clearly, they have spent significant time trying to "tinker" with the application, but it is unacceptable not to try a repeat a stakeholder engagement process. On this ground alone, the application should be rejected as they have failed to follow normal process as outlined in NPPF.

1.2. The recent modifications to the planning application have not fundamentally addressed any of the major defects. The proposed development now has 91 dwellings, a reduction of 9%, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities. The modifications involved are at best "minor cosmetic."

2. The outline planning application in general

2.1. The proposed development still fails on many critical areas that have not been considered in the application documents.

2.2. I find it inconceivable that for a development of this size and complexity there is only one access point. Though the number of properties is reduced by 9%, I do not consider this will make any material improvement to the traffic flows. Oakhurst Rise and surrounding roads were never designed for this purpose.

2.3. The issues associated with the topography of the site have not been adequately considered in the updated application. The internal roads on the proposed development will have a maximum gradient of around 1 in 6 or 17%.

2.4. The proposed development site is clay, with steep slopes. We know there are natural springs in the area and complex drainage systems. The preliminary ground investigation report, basically identifies that the site doesn't drain and as such complex drainage solutions will need to be found. From my perspective, this will inevitably lead to flooding on the lower aspects of the proposed site and to lower lying properties. At the bottom of our garden and just in the development site is a pond, this is shown in the OS maps, Figure 3 and 6 in the Simpson report (Flood Risk

Assessment). No mention is made in the report as to what is to be done with this pond. This seems unbelievable that a professional firm such as Simpson, would not review the status of the current ponds on site. It would appear as this will be in the back garden of plots 66 and 67, which will be a safety issue for the owners. I strongly believe this pond will lead to flooding of lower lying properties after periods of heavy rain.

2.5. There has been no update to the Ecologists report. There are so many issues with the ecological management of the site, it is remarkable that this document has not been reviewed and updated.

2.6. The revised Tree Survey and Landscape Strategy continues to be a poor document with inaccuracies, inconsistencies and biased analysis. The improvements are minor and cosmetic in nature.

2.7. Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." The developer has still made no comment on this issue. Presumably because this is an immediate "red flag" to the development. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend the application should be immediately rejected.

3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to my property.

3.1. Our property is Meadow View, Birchley Road. Under the updated and proposed development, I will have four new properties that border my property, these are plots 64, 65, 66 and 67.

3.2. On the boundary are 4 ancient English Oak Trees subject to TPOs. These are classified differently in the arboriculturalist's report as T19 and G1 (comprising 3 English Oaks), both of B3 classification.

3.3. In the arboriculturalist's updated report, he now at least recognizes the 4 English Oaks with TPOs on the boundary, I think he is proposing to leave them. However their roots will be close to the construction of plots 65, 66 and 67, which will probably lead to damage or ultimately death to these ancient oak trees. His tables and his plans are inconsistent in labelling. Another example of poor quality work from a supposedly professional arboriculturalist.

3.4. There is no update Ecological Appraisal. This is astonishing considering the errors and inconsistencies that I detailed in my response in March 2018. As stated in 2.4 above, there is no clarity on what is proposed for the pond on the boundary of my property. From my perspective, this pond provides critical drainage for Birchley Road properties and higher ground within the Battledown Estate, plus it is a wonderful easy access point for the local wildlife and has a high potential for amphibians. It is used by St Edward school for environmental purposes.

3.5. If there are such major problems with the proposed development for the four properties that border my property, it is reasonable to assume that the lack of thought, inconsistencies and bad design cover the entire proposed development.

In summary, the application still fails for a multitude of reasons

- The stakeholder engagement continues to be non-existent.
- There are major oversights and omissions in the proposal in general, the reduction in dwelling numbers by 9% does not materially change the application
- The traffic issues have still not been correctly considered, especially with the single access and topography of the site

- Drainage and flooding risk have not been correctly considered
- The quality of work from the consultants and advisors is inconsistent, biased, lacking in rigour
- Issues local to our property are totally inadequate, in particular the management of trees with TPOs, the proposal for the existing pond, drainage and visual impact.
- This development is in breach of Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." I fail to understand how CBC can continue to consider this application.
- The developer should apologize to the community for producing such an incompetent and poor proposal that has generated so much anger and frustration. Let us hope that the developer and the Carmelite Charitable Trust recognize this application will never succeed and they withdraw before they further alienate themselves from the community.

I would re-iterate my proposal that the application is rejected on numerous grounds and the site should be listed as a Conservation Area for future generations to enjoy and for preservation of the flora and fauna.

Comments: 24th May 2018

Letter attached.

Newlands
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 11th September 2017

We strongly object to this development. An outline of the key areas of concern are listed below:

- Oakhurst Rise is a totally inadequate access road for this proposed development. To put further traffic pressure on this inappropriate network of roads around the Ewans Farm estate and surrounding area, will have a hugely negative impact on the circulation of vehicles and the safe movement of pedestrians.
- The site in question is organic lowland meadow which comprises of un-kept grass and many protected trees. Wildlife consists of bats, protected newts, badgers and much more. The proposed plans will decimate these living organisms.
- The site is visible from an AONB and is central to the view from the conservation area in Charlton Kings. To build on this site will ruin this landscape and set a precedent for further development in protected areas.
- Any acceptance of this site would be inconsistent with previous decisions not to develop the Brown Field, Tim Fry proposal which has a current and viable road infrastructure.
- The current water drainage in the Charlton Kings valley has been bursting at the seams and that is with 10 hectares of natural planting to help. An additional 100 houses and hard standing infrastructure will significantly increase the already damaging effects of flash flooding. Why add to this already dangerous and highly problematic situation?
- To my knowledge there hasn't been an appropriate flood risk evaluation to accompany the proposals. Surely the CBC risk negligence claims by developing a site which has a clear history of natural springs, standing water with a valley below which proven history of flooding.
- There is no mention in the application about the negative effect that this development will have on school places. There is a lack of local school places within the local area, primary and secondary. The addition of 100 dwellings will add unnecessary constraints to this already critical problem.

In conclusion, we DO NOT support this proposal and STRONGLY OBJECT to the planning application to develop this site.

In addition to the above points, it is clear that huge bias and factual inaccuracies have been adopted by the developers in a bid to sway certain entities with their proposal. To go ahead with such a complex and impactful project in an area that is simply not appropriate, will only lead to long standing and disastrous repercussions.

Glenwhittan
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 9th September 2017

My objection to the proposed development is on the grounds that it involves the destruction of irreplaceable green space.

It benefits the environment to have green spaces close to town. As a Cheltenham family we have greatly appreciated the town's parks, and the sensitively landscaped areas around Cox's Meadow and between the town centre and Waitrose, for instance. Its visual and aesthetic qualities are what make Cheltenham special, so to develop an ancient green space that is visible for miles around, and especially across the valley, would be to disregard respect for the environment and create a dangerous precedent for the green swathe that surrounds Cheltenham at a certain height, to be lost forever.

This field, so close to town, yet with ancient hedgerows and mature trees, is an important and unusual natural sanctuary for wildlife. Over the decades we have observed birds and mammals raising their young without interference. It is densely populated by a wide range of creatures including foxes, badgers, different species of mice, shrews, voles, hedgehogs, newts, glow worms, bats, bees, owls, woodpeckers. This field is only mown once a year. It takes a tractor about half a day and it never cuts close to the hedgerows.

For so many children at the nearby school to be able to observe an uninterrupted natural habitat and to respect it and learn from it is of critical value in an increasingly urbanised country.

For this field to be concreted over to provide the maze of small roadways, paths, drives, parking lots to accommodate high density housing with, no doubt, double the number of cars to houses, is a proposal showing complete disregard for the current peaceful environment of, and beyond, the field. The noise of constant comings and goings of domestic and service vehicles and of hundreds of people in a relatively confined space on the hillside will, inevitably, detrimentally affect the quality of life of all nearby residents.

The impact of the increased number of vehicles, cyclists and pedestrians on fairly narrow existing residential roads with steep gradients where, because of street parking, vehicle movement is already of a weaving and halting nature, is obviously problematic, inevitably stressful and even dangerous.

Green spaces with mature trees protect the wider environment against pollution. This proposed development would contribute to the problem of pollution by destroying mature trees and hedgerows, and filling the field with buildings and cars.

Because the houses would have small gardens, large trees would never be able to grow for future benefit. Owing to gravelled/tarmac drives and low maintenance exterior spaces, rain- water run-off would be a problem on a hillside development.

Why plan to erect higher dwellings (flats? Townhouses?) at the high point of the site, exacerbating the loss of vista to existing residents and drawing attention to the development from the other side of the valley?

Comments: 14th September 2017

I write to object to the above planning application, in line with comments submitted on 20th March 2017 to the Cheltenham Plan (part one) Public Consultation (copy attached); and for other reasons.

Landscape and Environment

The first objection is that the application would allow serious over-development of high ground forming a part of the Cotswold escarpment. Ground contour levels on the site rise from about 100m AOD at the south end of the site to about 125m adjacent the rear of Birchley Road properties (on the north side of the site); whereas almost all major development in Cheltenham over the last 100 years or so has been limited to ground levels of about 105 - 110m AOD. As proposed in the attachment (Cheltenham Plan: Public consultation), there should be no development on ground above 110m, in order to protect the escarpment; which, from south of Gloucester to the north of Cheltenham (past Prestbury, Bishops Cleeve, Woodmancote, Oxenton, Teddington), remains an almost undeveloped, unspoiled landscape of great natural beauty. The only major development on the escarpment on the east side of Cheltenham is Battledown, which was planned and laid out about 150 years ago; and which has the significant requirement that every property should be sited on an half acre plot: this allowed most of the properties built to be planted with major trees, so that it is now visually a green tree-covered landscape with many properties part hidden when looking from the west (Gloucester, Staverton, Churchdown, Tewkesbury) eastwards. The properties proposed for the Oakhurst Rise development are generally on plots of limited size, which will not allow the planting of large trees (because of the disruptive effect they would have on the properties themselves).

In this sense, the proposed development is as undesirable and damaging to the landscape as development of the middle slopes of any hills, escarpment or coastline would be. It would also set a terrible precedent for higher level development of the south side of the existing village of Charlton Kings, below Daisybank Road.

This problem with the proposed development is compounded by the planned removal of many individual trees (including some with preservation orders) and a major ancient hedgerow (which itself extends to an area of about 4,000m² - about 1 acre - which as a consequence of its age and size shelters foxes, deer, bats, birds, especially owls and wood-peckers, and small mammals). There is really no planning or intellectual argument to justify this destruction, in the absence of confidence in the developer's willingness and determination to protect important features of the existing environment, instead of practically clearing the site at the start. In the developer's analysis, it is justified on the grounds that many of the individual trees are not of specimen value, not being individually planted and nurtured, i.e. being wild; overlooking the fact of the length and size of the hedgerow, that can be seen for miles around; and that for centuries it has been home to wild creatures in a natural environment without any human interference: the adjoining meadows are mown once a year, about a day's work with a tractor.

Though the main reason for the objection is preservation of irreplaceable landscape (within a thriving community), the retention of natural habitat and ecology is also of great value, especially when available to a school, and through the school to other young people.

Transport:

The road proposed for access to the site - Oakhurst Rise (OR)- is discussed in the transport assessment, paragraphs 2.6 and 2.7 (only); and its inadequacies are ignored in the discussion. In particular:

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- the road gradients are too steep: almost 15% gradient for the upper length leading to the site entrance; and about 13.5% for the lower length joining Beaufort Road: both far in excess of the Glos. C. C. 'Highway requirements for development', which gives maximum gradients of 8% for access roads. The consequence is that the access road will be unusable by many vehicles after snowfalls, and will be hazardous in icy conditions; with a potential risk of accidents, because of cars failing to stop in time, or sliding into or across the two T-junctions, one at the bottom of the upper slope opposite no. 17 OR, and the Beaufort Road/Oakhurst junction;
- the road may be too narrow (5.5m); the G.C.C. requirement is 5.5 or 6.0m (depending on classification);
- the pavements are too narrow: the G.C.C. requirement is 2.0m;
- it appears that OR could be classified as a minor access road (MiAR), but it does not comply with the physical requirements for a MiAR, and it would be serving 2 - 3 times the number of dwellings for such a road (50 maximum); even as a major access road the number of dwellings served (approximately 120) would exceed the maximum permitted (100 for single access), and the physical requirements are still not satisfied (gradients etc.); in general terms, without relaxation of the G.C.C. requirements, there is no classification permitting more than 100 dwellings with only one access.

The assessment of the effect of the development (i.e. 100 extra dwellings) on the local roads immediately affected is unconvincing. Aside from the unsuitability of OR as the access road to the site, a basis for considering the increase in traffic could be summarised as follows:

- number of current dwellings: Ewens Road 19
Pine Close, Oakhurst Rise say 40
Beaufort Road 41
- current total of dwellings 100;
which would increase to 200 dwellings after development:
- i.e. there would be a substantial increase in traffic on the two roads leading away from the site: Ewens and Beaufort Roads; on-street parking on these roads and Haywards Road (the next affected road for traffic towards Cheltenham) is repeatedly described as 'sporadic': definition "occurring only here and there , separate, scattered"; but the on-street parking is nearer constant and widespread than sporadic, and already severely restricts vehicle movement on these roads, and also on Oak Avenue;
- all of these roads are residential roads, not suitable as transitional roads, and certainly not as local distributor roads: (a through traffic route suitable for moving traffic between different parts of the town).

In discussing overall design concepts the G.C.C. 'Highway requirements for development' recommended:

"The creation of large cul-de-sac estate layouts, where a large number of houses rely on one access road, and pedestrian access is similarly restricted, must be avoided." (My italics)

Comments: 5th March 2018

I refer to previous comments in my letter of September 2017 objecting to the proposed development; on the grounds of:

1. over-development of high ground, up to ground levels of 125m. AOD, which forms part of the Cotswold escarpment;
2. inadequate access to the site: inadequate for up to 100 houses; using Oakhurst Rise, a small pre-existing residential road of about 25 dwellings, mainly bungalows; which is too steep, too narrow and leads only to other pre-existing residential roads (Beaufort Road, Ewens Road)

that are also inadequate in width and gradient for what would be, approximately, a doubling (to 200) of the number of houses they serve.

I also consider it is not

In the additional information now deposited is an addendum to the design and access statement; in which there is reference to retaining more TPO trees than in the first scheme. This would be desirable; but several points arise:

1. The revised development scheme should be subject to constraints relating to the retained trees, as set out in BS 5837: Trees in relation to construction; (which the Council usually requires be followed). First a tree constraints plan should be prepared, showing root protection areas of the retained trees: (cl. 5 of the BS); and from it a tree protection plan can be prepared (cl. 7), with barriers and/or ground protection. These should be permanently established on site before construction work starts.

2. For T8 (a very large English Oak: A1/B1) the root protection area (rpa) is calculated as 1100 -1200m; and would be capped to 707m, equivalent to a 15m. radius circle: at least the 15m. radius rpa should be preserved. This means block 59-62 should move eastwards by at least 3 - 4m; or preferably the block and its permeable surface area for parking should be interchanged, as they were in the original scheme, which would reduce the tree's influence on the block.

3. For T13 (a large English Oak in a public open space) I am reasonably certain that it is drawn in the wrong place on the layouts: it is more than 60m. from T8, but drawn less than 50m. (but on roughly the same line of sight from T8). This means that the northern branch of the site road does not need to veer north after passing plots 56-58, but can curve to the south, allowing greater freedom to position 59-62. (Obviously there is a knock-on effect on houses near T13, including a potential influence of the tree on the houses).

Comments: 16th May 2018

Comment re revised outline application: 91 dwellings:

1: 91 dwellings remains far too many for the proposed access through Oakhurst Rise (OR); see comments in my letter of 13.09.17, which generally still apply: (the steep gradient of OR, and road dimensions, the single access, inadequate linking roads away from OR).

2: The positions of trees T12 and T13 are transposed on the tree layout; and T13 which is proposed to be retained, is actually about 14m east of the marked position.

3: For retained trees, such as T8, root protection areas should be established and observed in accordance with BS 5837: (in the case of T8 the protection area is a 15m radius circle).

4: See also objections on the grounds of Landscape and Environment in our letter of 13.09.17, which still apply.

Coversdown Birchley
Birchley Road
Cheltenham
Gloucestershire
GL52 6NX

Comments: 7th September 2017

As a resident of Battledown my house, Coversdown, joins the northern boundary of the proposed development. I strongly object to this application. Not only is it in breach of national and local planning policy, which should be promoting healthy communities, it would mean the loss of

valued open space which is used as a recreational area. It is of great value to those who live in this community. It threatens an area of beautiful green space.

My list of objections are as below:

1. Charlton Kings Parish Plan published April 2017

This plan was published by the parish council to provide guidance for the next 5 - 10 years. It was produced by a public questionnaire and parish meetings. Page 8 states "a clear consensus emerged that development on open land and green spaces should not be allowed.". Page 9 states "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land;"

Therefore this development is contrary to the conclusions drawn by the Parish Council and the residents of Charlton Kings.

Neil Parish M.P., the chairman of the environment select committee, recently told ministers that a drive to build a million more homes by the end of the decade risks "killing any sense of goodwill" in local communities if the new buildings are inappropriate. Mr Parish, a former council planning officer, will suggest that parish councils and neighbourhood forums are given funding to draw up binding "design codes" based on input from residents to ensure new developments reflect their views. "If we fill our towns and cities with housing people feel is totally inappropriate for their area, we will kill any sense of goodwill."

It would appear that the proposed development is exactly one such development that Mr Parish is referring to.

2. Right to Privacy

The conclusions of the developers report state that following the process of consultation, the application has been changed in a number of "significant ways". I strongly dispute this statement. At best, there has been some minor changes, but fundamentally the proposed development still has 100 houses, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities.

The report states that the density of the houses was reduced on the boundaries that border Battledown. This is certainly not the case with the northern border of the proposed development. The plan shows double storey and 2½ story houses right on our boundary. In addition, the 2½ storey houses/flats will be on a higher elevation than our house and will therefore look directly down into 4 of our bedrooms, let alone our drawing room and conservatory. This is a gross infringement on rights to privacy.

The Landscape and Visual Aspect Report, makes general mention of the impact the development will have on residents of Birchley Road, though it specifically avoids any mention of the most impacted properties such as Coversdown, Meadow View and Charlton Manor. This is a major oversight in the analysis, creating a clearly biased document.

In addition, as these houses are directly south of our house they will most definitely block light and direct sunlight into our property. In winter, we would not see any sunlight whatsoever.

We purchased in Battledown specifically because of it's privacy and quietness. This proposed development will totally undermine our right to privacy and quiet enjoyment.

3. TPO Trees and Hedgerows

On our boundary with the proposed development, there is a magnificent specimen of an oak tree, which I have been led to believe is over 350 years old. There are also a number of other mature trees. At present the St Edwards school are responsible for ensuring that this tree is well maintained and dead branches are removed by their tree surgeon. This is necessary as the tree is south west of our house and the prevailing winds and storms would otherwise place our house at direct risk during storms. Who is going to be responsible for the well-being of this tree and thus ensure our house remains out of danger should this development take place? The developers have already shown scant regard for us neighbours in that they accessed the currently site illegally over our properties. They also showed no regard to the TPO tree and hedgerow they removed. To date we are not aware whether this breach of the law has led to prosecution.

Secondly, I believe that the proposed houses would be built far too close to the root system of this magnificent tree. The consequences of this would most likely lead to the tree's demise. This would then place the foundations of our house and our neighbour in 29 Oakhurst Rise in danger to subsidence and cracking of the foundations. In addition, any houses built within its vicinity would also be subject to these issues.

The developer already plans to destroy several protected trees including 400 year old oaks. The developer also plans to destroy 2 ancient protected hedgerows (seen on a map from 1825) that are BAP priority habitat and protected by law. The site has a large number of veteran trees. These need aging as some may be ancient. Many of these trees should be protected and there have been frequent requests that this is done as a matter of urgency. I believe that developer acted against the guidelines of the 1997 legislation on hedgerows when a large section close to my house was destroyed without the correct permission in the spring.

I feel that the developers survey into the biodiversity of the site is highly inaccurate and should be discarded and not relied upon. As our house overlooks part of the field we witness all the various wildlife that many other residents have already listed.

Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." So does the proposed development site meet the requirements of significant townscape and environmental contribution? It clearly has a unique environmental impact with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. It is a unique site that it is surrounded by buildings on all 4 sides, it is visible from the AONB areas. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend that any normal person would agree the proposed development site meets this criteria - hence the application should be immediately rejected.

4. Density

According to the Battledown Estate site <http://www.battledown.co.uk/covenant.asp>, in the Deed of Covenants and Regulations , number 5 states "No person is to build on the Original Lots of Estate land more houses than in proportion of one house to each half acre of land". This Estate is adjacent to the proposed site and it's density of the site is 23.3 units per hectare which equates to 4.71 units per half acre of land. This is considerably more than the allowed adjacent density of 1 unit per half acre of land. As such we believe that the proposed development is not in keeping with the developments that surround the site.

The Consultants compare their development to the Ewens farm development. I believe this proposed development is of a higher density than Ewens Farm. In any event, I believe that this is an incorrect comparison as the immediate neighbours are Battledown and the Oakhurst Rise area bungalows which have a far lesser density than that proposed by the developers.

5. Increase Flood risk.

Historically there have always been significant issues with surface run off and groundwater flooding around the site. The consultant makes no mention of this in the report. The clay sub soil is impermeable. The top soil in this critical elevated site on the watershed holds water like a sponge all winter protecting the catchment of the River Chet from flash flooding. Covering large swathes of this 10 acre site in impermeable material will have a huge impact on the drainage system. I believe a full and proper impact study needs to be done investigating the impact of the scheme on the Chelt through Cox's Meadow onto Bath Road and Neptune's fountain. Some proper flood modelling is called for. Even with all the modelling done for the Cox's meadow flood barrier, the first time this barrier was put to the test, it failed, with large scale flooding of properties down-stream from the barrier.

The Flood Risk Analysis from the developer's consultant does not address the issue of technological solutions to the problems at all satisfactorily, in fact they admit that SUDS will not work. The only remedial measures they suggest are retention tanks that are obviously not large enough, a tiny pond and water butts.

I am not at all satisfied that routing all foul and rain water under Charlton Court Road will be an adequate solution at all. The ageing lower sections of the sewage system are already vulnerable to blockages and collapses according to a helpful local expert on drainage.

The consultant does not seem to recognise that there is any existing flood risk, I believe residents will tell a different story from their personal experiences.

In addition, the flood zone map created 26 March 2008 shows on page 4 a preponderance of incidents of "Recorded Flooding" in both the categories of "Artificial Drainage" and "Unknown" following the line of Oak Avenue. Anyone who has dug their garden or who remembers the old brick works will know this is an area of clay soil, which is always damp.

This is further borne out in the fact that we already have a continual spring, that starts in the field and runs through part of our property, nearly all year round. If the spring runs at present with all the natural protection that the field currently affords it, what is going to happen once this water has nowhere to go due to the impermeable surfaces that will cover the proposed site.

6. Access to site

Oakhurst Rise is a small, narrow and steep cul-de-sac. Many residents park on the road as the driveways are so steep and narrow with often dangerous drop offs due to the gradient. The gradient is 1 in 5 at the top and narrowness of the road make sole 2-way access to 100 houses from this site totally inadequate.

In snow and icy weather the road is immediately cut off as residents prioritise the grit for the lower part of the Rise and the busy and dangerous bend and slope near Pine Close. I wonder where snow bound cars will park on congested Beaufort and Ewen's Road. How will emergency vehicles access the development in snow? The Rise is accessed via the very narrow and congested streets of Ewen's Farm; one of the worst streets being Oak Avenue. Blind bends already make these roads that are occasionally 2-way in sections dangerous.

7. Change to Cheltenham skyline

The site is a very visible green part of the visual landscape. It adjoins Battledown, which is one of the highest points in Cheltenham. As the 2½ storey building and 2 storey house are going to be built on the crest of the development the skyline of Cheltenham will forever be blighted. Particularly from Leckhampton Hill, the A435 and the popular Cotswold Way at Lineover Wood where the path emerges from the trees. There is no dense housing at this elevation at present and the new estate will have a very significant impact on visual amenity. It will be a scar on the tree dense and greenfield nature of the landscape at this height on the hill line as currently afforded by the

properties on Battledown. This will further erode the character of Cheltenham as a scenic spa town.

8. Loss of a community recreation area

The field is used by the wider community and it is a well-regarded venue for county cross-country competitions hosted by the school, as well as being a huge draw on bonfire night when the school PTA run their fund-raiser. Children from the school benefit from the access to the field to get closer to nature, such as the popular "welly walks" from the pre-school section.

9. Damage to biodiversity.

The developers' environmental consultant claims that the majority of the site is "poor semi improved grassland" which is "regularly mown". They claim it is "short grassland" that is of "low conservation significance". I completely contest this. The developers study was done at an inappropriate time of year. I believe that other expert opinion has been obtained who believes that the site is actually species rich grassland which requires a detailed grass species survey, ideally done May-July. I understand the developers' nature survey was done in early September 2016 soon after the farmer had cut the grass down and driven over it with a tractor. Like most wildflower meadows throughout history the grass is cut once a year, contrary to the developers' claims this does not constitute regular mowing or cultivation. I must insist that a proper survey is done to establish the true status of the meadow.

In Ash Tree house, which was owned by my father in law until 2016, there were numerous newts in the pond in his garden. We must insist that a full torchlight survey and EDNA survey of all ponds within 500 m of the site takes place, the developer has missed 2 of the ponds on the school site and I understand that there are other garden ponds that have not been surveyed.

10. County Archaeologist

I observe that the County Archaeologist states "the wider locality is known to contain extensive archaeological remains relating to settlement and activity of the prehistoric and Roman periods. I therefore have a concern that significant archaeological remains may be present within the application site, and that these may be adversely affected by construction ground works required for this scheme" In addition he goes on to give reasons why the survey done by the developers is totally inadequate.

11. Amenities in the area

Already the amenities in the form of schools, hospital places and Sixways surgery are under extreme pressure. It is fairly common for current residents to have to wait 3 weeks to see a GP. This proposed development will further exacerbate the problem. Simple financial contributions/penalties as appear to be the norm when these issues arise in other planning applications (eg Tim Fry brown field development) will not solve the problem of residents being able to see a GP or getting places in schools.

In conclusion, whilst the developers supporting documents appear to be comprehensive and all encompassing, they are far from this. They are at best extremely biased and at worst lacking in substance for a development of this scale which has far reaching implications not only to the residents of the immediate vicinity of the development but also to the greater community of Cheltenham.

We therefore implore the council to reject these plans outright.

Comments: 14th May 2018

Your letter dated 30th April 2018 refers.

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This amended plans do not address any on my previous objections and hence all my previous objections still stand. In particular as pertains to the houses on the North boundary that are in proximity of T3 & T8.

In addition to these points, I have now received a copy of a report by Barton Hyett Arboricultural Consultants (BH), in response to the report of the developers consultants (TKC). This report highlights many shortcoming of the TKC report.

The documents presented by TKC with regard to the TPO's and RPA's are based on guidance of BS5837 (4.6.1) whereby the maximum of 15m radius from the tree stem is being used. In fact the Natural England and the Forestry Commission published in January 2018 that recommends that "for veteran trees a buffer zone of at least 15 times larger than the stem diameter or 5m beyond the crown edge if that is greater" should be used.

In addition the councils own Tree Officer stated on 8 Mar 2018

"Veteran trees have not been classified as per BS5837 (2012) recommendation where veteran trees should have an automatic A3 classification. Similarly their Root Protection Areas do not conform to the Woodland Trust and Ancient Tree Forum recommended areas equivalent to an area described as a circle of 15 (as opposed to 12 in BS5837 (2012)) times the diameter of a tree or 5 metres from the edge of the canopy. Indeed such recommendation of no hard surfacing within BS 5837 (2012) para 7.4 recommends that no construction occurs within a RPA."

This has a significant impact on the developments in the proximity of T3 & T8 to mention just a few [drawing attached].

It is further noted that the diameters for T3 & T8 as stated by TKC are merely "estimates". The actual diameters should be measured accurately. Using the diameter of "T3" as 1500mm (which is only an estimate and could well be larger than this), then the RPA from the tree that should be excluded from development should be a radius of 22,5m. This then means that the buildings on Property 1,2 & 3 fall within this excluded area of the radius of 22.5m of the Oak Tree T3. If in fact the diameter is 1700mm then this exclusion radius should be increased to 25,5m.

In addition "T8" is estimated by TKC as 1500mm and yet it has been measured by Barton Hyett Arboricultural Consultants as 1700mm. This means that the RPA that should be excluded from development should be set at a radius of 25,5m. As a result, the properties 4,5, & 34-37 all fall within the exclusion radius.

There are numerous other instances of inaccuracies in the TKC report.

In addition to the above, we object strongly to the fact that TKC recommend that a number of the "Veteran Trees" have been demarcated to have their crowns reduced in size by 5m in height and diameter. These tree are hundreds of years old and should not be subject to the risk of being endangered in the name of housing. It is the housing that is encroaching on the trees, not the other way around.

In nothing else the recent winter serves to highlight the fact that the proposed access to this site is totally unsuitable to serve this development with its possible 180 cars.

I also fully endorse the various objections from

- Natural England
- Friends of Charlton Kings
- The Woodland Trust
- The Charlton Kings Parish Council

29 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 24th August 2017

As a resident at the top of Oakhurst Rise I object strongly to this application on 5 main grounds: The last section is the longest because it is the area in which I have the most knowledge.

1) Impact on the Rise.

Double storey, fairly high density housing is not at all in keeping on this cul de sac of bungalows. The new houses will be elevated above existing bungalows allowing views from upper floor windows down into bedroom roof veluxes, down into bedroom windows and even potentially down into bathrooms. This is a gross infringement on rights to privacy. Particularly but not exclusively for No 29 and No 18. Our bedroom windows face up towards the elevated new housing. The elevated buildings will overshadow existing housing and gardens blocking light, particularly in the winter. Removal of mature, veteran and protected trees will completely alter the character of the street. There will be significantly more noise as the road is predominately occupied by retired people. In particular I would expect a significant increase in traffic noise.

2) Flood risk.

Historically there have always been significant issues with surface run off and groundwater flooding around the site. The consultant makes no mention of this in the report. The clay sub soil is impermeable. The top soil in this critical elevated site on the watershed holds water like a sponge all winter protecting the catchment of the River Chet from flash flooding. Covering large swathes of this 10 acre site in impermeable material will have a huge impact on the drainage system. I believe a full and proper impact study needs to be done investigating the impact of the scheme on the Chelt through Cox's Meadow onto Bath Road and Neptune's fountain. Some proper flood modelling is called for.

The Flood Risk Analysis from the developer's consultant does not address the issue of technological solutions to the problems at all satisfactorily, in fact they admit that SUDS will not work. The only remedial measures they suggest are retention tanks that are obviously not large enough, a tiny pond and water butts.

I am concerned that the developer may cut corners and simply route surplus muddy run-off during construction into shallow ditches where it will clog up culverts on the brook behind Charlton Court Road and Oak Avenue causing flooding.

I am not at all satisfied that routing all foul and rain water under Charlton court road will be an adequate solution at all. The ageing lower sections of the sewage system are already vulnerable to blockages and collapses according to a helpful local expert on drainage.

The consultant does not seem to recognise that there is any existing flood risk, I believe residents will tell a different story from their personal experiences, and I am collating evidence of this.

I would query why a nearby brownfield site development of similar size (Tim Fry) was declined recently on grounds of flood and traffic impact, the effect of which would have been much smaller.

3) Access to site

Oakhurst Rise is a small, narrow and steep cul de sac. Many residents park on the road as the driveways are so steep and narrow with often dangerous drop offs due to the gradient. The gradient is 1 in 5 at the top and narrowness of the road make sole 2 way access to 100 houses from this site totally inadequate. These are few places to turn and the gradient will mean that queuing traffic will have to reverse up or down constantly. In snow the road is immediately cut off

as residents prioritise the grit for the lower part of the Rise and the busy and dangerous bend and slope near Pine Close. I wonder where snow bound cars will park on congested Beaufort and Ewen's Road. How will emergency vehicles access the development in snow? The Rise is accessed via the very narrow and congested streets of Ewen's Farm; one of the worst streets being Oak Avenue. Blind bends already make these roads that are occasionally 2 way in sections dangerous, particularly for cyclists, and I have had a near miss collision myself near the flats on the corner.

4) Change to Cheltenham skyline as viewed from public vantage points

The site is a very visible green part of the visual landscape. Particularly from Leckhampton Hill, the A435 and the popular Cotswold Way at Lineover Wood where the path emerges from the trees. There is no dense housing at this elevation and the new estate will have a very significant impact on visual amenity, it will be a scar on the tree dense and greenfield nature of the landscape at this height on the hillside. This will further erode the character of Cheltenham as a scenic spa town.

5) Loss of a community recreation area

The field is used by the wider community and it is a well-regarded venue for county cross-country competitions hosted by the school, as well as being a huge draw on bonfire night when the school PTA run their fund-raiser. Children from the school benefit from the access to the field to get closer to nature, such as the popular "welly walks" from the pre-school section.

6) Damage to biodiversity. This will be the longest section of my objection mainly because this is more within my area of knowledge.

I couldn't believe it when I read the Design and Access statement that declared that "open spaces within the site comprise unkempt grass and a few trees." This is a wholly inaccurate and misleading description.

I will quote in parts from an email that was sent to the planning office in the spring after advice from an expert on biodiversity.

1) The developers' environmental consultant claims that the majority of the site is "poor semi improved grassland" which is "regularly mown". They claim it is "short grassland" that is of "low conservation significance". I completely contest this. The developers study was done at an inappropriate time of year. I have sought a second expert opinion who believes that the site is actually species rich grassland which requires a detailed grass species survey, ideally done May-July. I understand the developers' nature survey was done in early September soon after the farmer had cut the grass down and driven over it with a tractor. Like most wildflower meadows throughout history the grass is cut once a year, contrary to the developers' claims this does not constitute regular mowing or cultivation. I must insist that a proper survey is done to establish the true status of the meadow.

2) The developer already plans to destroy several protected trees including 400 year old oaks. The developer also plans to destroy 2 ancient protected hedgerows (seen on a map from 1825) that are BAP priority habitat and protected by law. The site has a large number of veteran trees. These need aging as some may be ancient. Many of these trees should be protected and there have been frequent requests that this is done as a matter of urgency. I believe that developer acted against the guidelines of the 1997 legislation on hedgerows when a large section near my house was destroyed without the correct permission in the spring, leading to a police presence at our request, to persuade them to leave site.

3) Older trees on site are full of cracks and holes. The consultant confirms the presence of 7 species of bat including the rare Greater Horseshoe. There have been sightings from numerous witnesses of bats and there is a confirmed pipistrelle bat roost in the cellars of Ashley Manor as well as the tree roost identified on site. Bat corridors should be protected and not interrupted as

bats are very sensitive to breaks in hedgerows...the developers have cut a 30 m square gap in one of these already without the correct permission. The developers plan to destroy the central hedgerow which is part of a likely bat commuter route. The bats will lose the 10 acres of foraging that they use. Token measures suggested like a bit of landscaping and planting new little trees will not compensate for what is destroyed. Bats haven't evolved/adapted to live on housing estates.

4) In my ecologists' opinion the central double hedgerow is an intact enough corridor to merit a dormouse survey. They are present in the area and have been seen by residents. This has not been done.

5) The badger sett is large and very active. There are signs of badgers tunnelling on the ice house and in the hedgerow mentioned in 4. The relocation site proposed by the developers is grossly unsuitable for such a large sett. There is clear evidence that the badgers use the fields for foraging and they will lose the ability to find places to forage if surrounded by housing. The school will have serious safety concerns if the badgers are forced south onto the school playing grounds. A proper impact survey is required. We have had serious difficulties with the developers disturbing the badgers without a license and this was reported to all the relevant authorities including Natural England, at the time. We again resorted to Police support when heavy diggers were driven very close to the sett.

6) Nesting birds. Acting against guidelines the developers disturbed nesting birds when they destroyed the hedgerow at the new access gate. A brief bird survey was done in October. A full and proper nesting bird survey is required requiring 3 visits. There are many protected species regularly seen on site contrary to the developer's report. The school groundsman is a keen amateur naturalist and he confirms presence of lesser spotted woodpeckers, nesting buzzards, various owls and the flight overhead of red kites. These are protected. 2 sightings of hunting sparrowhawks have been made in recent years. Also song thrush and brambling are present.

7) There have been at least 3 sightings of adders also slow worms and grass snakes. We strongly disagree with the consultant's view that it is unlikely that there are reptiles present. A proper reptile survey is required with a population count. I understand this may require up to 20 visits. The damage inflicted by one developer JCB on this sodden and waterlogged site in just one day (2/02/17) has been considerable. The reptile survey should take place before the 2% trenches are dug...the irreparable damage from this work will have a disastrous impact on reptiles.

8) Newts. There are numerous sightings and photographs of newts. Great Crested are present in the area. We must insist that a full torchlight survey and EDNA survey of all ponds within 500 m of the site takes place, the developer has missed 2 of the ponds on the school site and I understand that there are other garden ponds that have not been surveyed. The run off and the mud created by trench digging will have a serious impact on pond life.

9) There are collectively valuable species on site such as a song thrush and dunnoek; this was confirmed by our consultant. The entire area should be protected through BAP as priority habitat. An invertebrate survey will be required to investigate the likely presence of stag beetles on site.

10) I understand that the developer will need to apply for an EIA screening decision before undertaking any work with tracked plant on site. This process was ignored by the developer earlier in the year and significant damage was done to the site by a JCB digger. (see above, where Police were called)

Under the 2006 NERC Act I understand that the LA has a duty to protect the biodiversity on site. Part of this process involves ensuring that the correct surveys are in place before work starts. My ecologist does not feel that the developers have done their homework. The developers seem to have also shown little regard for legislation so far. We would appreciate your help in ensuring that due process and national guidelines are followed.

To sum up the following surveys are needed; grass, all ponds (EDNA and Torchlight), reptiles with population counts, dormice, full breeding birds, badger impact, invertebrate.

In addition to this a desk survey of the records office will need repeating as locals now know to log all wildlife sightings and many will have been missed earlier in the process.

Many residents would like this rare, organic wild flower meadow protected as a matter of urgency. Designation as a Local Green Space would be a good start.

I would like to repeat my request to know who the council use for advice on ecology matters so that I could discuss these issues in more depth.

I would again query why a nearby brownfield site development of similar size was declined recently when the ecological, flood and traffic impact would have been much smaller?

Comments: 10th September 2017

In addition to previous comment:

Letter sent to Tree Officer

You may recall that myself and a number of local residents requested an appraisal of the trees on this site in the Spring. On 15th March I invited an ecological consultant (F S at S Ecology) onto the site to inspect the trees and give us some informal advice. I believe I wrote in detail about this to the Council at the time. I was disappointed not to receive a reply so I will try again.

Ms S felt that a number of the trees on the site were not currently protected as far as we could ascertain and that they should be. I would like to formally apply for an URGENT assessment for protection these trees. I have asked before in the spring about this. As there are so many trees on site I cannot work out how to identify them all by number so I would request an urgent site visit for appraisal.

Part of Ms S reasoning was:

1) The size, age and good condition of the trees eg from the developers tree report alone: T10 Ash 13m high and 500 mm diameter. T38 Oak 60 years old with scope for improvement. T36 Similar. T44 Oak 75 years old, potentially viable from an ANCIENT pollard. None of these appear to be protected and are at risk.

2) The existence of BAP priority species within a BAP priority habitat would support protection of these trees and many others. I can scan and send you a copy of the 1746 estate map of the Charlton Court Estate. This map clearly shows already large and mature trees on the site and 2 mature hedgerows. This definitely makes the trees and hedgerows important. Priority species include Song Thrush and Dunnock and Ms S confirmed their presence. The hedgerows and trees are used by 7 species of bat including Greater Horsehoe and there are two bats roosts nearby. Trees in the vicinity of T10 provide shelter for an absolutely enormous and very old badger sett. The sett is very active. The trees and the current sett are earmarked for destruction. I believe all the above makes the hedgerows and the trees within them a priority and further protection of most of the larger trees is justified.

3) Amenity value. The trees form part of the Prep school site. They are used by the school for nature studies. They are also extensively used by children during Forest School sessions and you can see evidence of childrens' activities on the Western border of the site. The trees are a fundamental part of the character of the area and can be clearly viewed on the skyline from Beaufort Road, Charlton Court Road and Oakhurst Rise. They contribute to the amenity of clean air, absorb excess rainfall, stabilise the unstable, sloping ground and instil evenings with the sounds of birdsong. They are of huge importance to the school, staff, children, parents and to the

local community at large. The trees are an important component of the character of the cross country course that has been run by thousands of children from across the County for decades. They are an essential part of the character of the annual Bonfire night.

4) Historic value. Please see comments about the 1746 estate map when these trees were already very sizeable and mature. I understand that the land was originally part of the medieval Charlton Manor estate. It probably dates back as an estate to the time of Edward the Confessor. Charlton Park certainly does. Evidence of medieval use exists in the ridge and furrow fields located adjacent to the site. It is also probable that a prehistoric tump exists on the site and I understand that your Archaeological Consultant wishes this to be investigated. I feel this is more than sufficient to justify historical the value of the trees and hedgerow to the area. In the early 1800's the estate was known as "Woodlands" which would imply the existence of many trees.

5) Contribution to the character of a conservation area. The site is very clearly visible from the AONB Leckhampton Hill. The trees are an essential part of the character of Charlton Kings as a leafy suburb. The trees are a very prominent component of the view and the felling of so many of them, damage to roots of some and drastic surgery of others will be of detriment to the AONB.

I believe that these factors more than justify an urgent, independent, reassessment of the site.

I understand that the council has advised the developers that an EIA analysis is not required. I do not understand why this is the case if the site has such immense historical, ecological and visual value. I can only assume that because the site is on private land and privately maintained it has slipped through the system. The site needs urgent and comprehensive protection.

I am also most concerned about the impact on several TPO'd trees.

It is very hard to establish from the developer's plans exactly which individual trees will be felled. The consultant used T numbers that do not correspond with the plan of the original 1980's TPO survey. It is clear, however, that a number of protected and valuable trees will be lost or suffer significant and irreversible root damage. I would like urgent confirmation of precisely which trees will be felled. From what I can see from the report many trees at risk are trees up to 300 years old. For example T29, T30 and T39 are classified as ancient oaks; they would seem to be at risk from work to install drainage. T13 (originally T10) is 4.6m in girth, which makes it 250 years old. If this is to be kept, which the plan seems to suggest, I would be really concerned about its proposed close proximity to new buildings. T14 (originally T11) is a 150 year "good" oak with a 3.3m girth trunk, to be felled. If it is now to be kept, which is unclear, I would like to point out that the tree T14 is not marked accurately on the plan, and is actually about 4m to the west of its marked position. This appears to put it within the footprint of a proposed dwelling! G1 group of ancient trees will also sustain significant damage to roots.

Work on or damage to any trees bordering Oakhurst and Charlton Court Road will be very risky. The existing trees have already created some issues with subsidence and their removal will exacerbate these issues further by creating ground heave. The tree roots also stabilise the steep clay bank above 29 Oakhurst. Who will ensure that the ground does not slip as it is unstable and there are spring lines running over the clay and through the top soil? Who will maintain these trees? St Edward's currently assess them annually and pay for regular surgery work. How will they stay protected when they lead to inevitable subsidence and loss of light to the new housing? The risk of erosion of their protection in a built up area is extremely high. One dropped branch and a tree is easily condemned. One dropped branch or rotten root currently creates a habitat for BAP priority species like adders and a range of invertebrates. Cracks and crevices provide roosts and roosting potential for bats. Birds on site using the trees include the rare Lesser Spotted Woodpecker.

I simply cannot understand why this proposal is being considered when the impact on such a valuable amenity is so large and completely irreversible.

I have requested several times that an independent ecological and arboreal consultant visit the site. I am hopeful that this will happen soon.

I look forward to hearing from you regarding an independent assessment of the trees in particular as a matter of urgency.

Comments: 11th September 2017

Essential addition to previous comments. I need to state the Oakhurst Rise is a quiet cul de sac with small bungalows and a significant proportion of retired people. The loss of amenity to myself and other residents will be significant. I bought this house because of the quiet location and lack of through traffic. The fact it is in such a steep location was offset by having the time to manoeuvre on and off my driveway on the gradient.

Comments: 23rd September 2017

Having recently attended a public meeting I have been made aware of the need to link objections to a planning framework so I will now attempt to do so even if this is at risk of repeating myself.

I have read the very sensible aims of the 2006 Cheltenham Local Plan and would like to make the following observations.

Aim O23 to secure a high standard of residential amenity

Residents of Oakhurst Rise are incredibly fortunate as we currently enjoy an extremely high standard of residential amenity. We live on a very quiet cul de sac elevated well above Sixways. It is a very peaceful and tranquil road. Residents do enjoy a good level of privacy in their homes. This amenity will be utterly altered if the houses are built and the narrow, steep cul de sac is turned into a busy through road. People who chose to live here did so for a reason and many people are considering uprooting themselves. Two residents have recently left the street.

O8 to meet the needs of the elderly and people with disabilities O32 to promote sustainable transport

Many residents are elderly and they have chosen to live in a quiet street, vehicular access to and from our bungalows and driveways is problematic due to steep gradients and lack of manoeuvring space. Access will become virtually impossible for some elderly drivers on a busy through road.

The steep gradient will put off all but the fittest residents of the new estate who can walk or cycle. The bus stop will be a long way downhill from the new estate.

We have a disabled neighbour and the community transport arrangement for her will cease if the road becomes a through road. The gradient and lack of turning spaces make this a health and safety issue that will render a vulnerable individual housebound.

Pavements on the Rise are very narrow and uneven. Cars are currently often parked on pavements to allow space for vehicles to pass on the road. This forces pedestrians onto the road. Even presently it would be difficult for a fire engine to access the top of the Rise at busy times due to parking issues.

There is only one pedestrian crossing across London Road between Sixways and town, this does not encourage walking.

O6 to create more sustainable patterns of development, with priority use of previously-developed land.

It makes no sense to turn down development of a brownfield site like Tim Fry Landrover in favour of an absolutely pristine green field site with numerous and serious vulnerabilities.

O9 to conserve and enhance the setting of Cheltenham I

O10 to conserve the natural beauty of the Cotswold Hills

O11 to conserve and improve Cheltenham's architectural, townscape and historical heritage

O12 to conserve and improve Cheltenham's landscape character and green environment

Parents, staff and children at the Prep school have chosen to work and study there due to the stunning nature of the setting. The site is a gem within the architecture and heritage of late Regency/early Victorian Cheltenham. The Grade II listed Ashley Manor school house has a stunning backdrop of meadow and oak trees. The visual amenity of this site is currently enjoyed by at least 600 individuals visiting the school daily, thousands of individuals on County Cross Country meets and many thousands more when families visit on Bonfire night.

The green fields, trees, hedgerows and meadow are clearly visible from the AONB of Leckhampton Hill and the A road down from Seven Springs. Putting a housing estate on the land will have a severe impact on the landscape character of the town.

O18 to maintain and encourage biodiversity

The diversity of endangered species on the site is remarkable. If the land was in the public domain it would be protected as an SSSI. I am in correspondence with Natural England on this issue. There is a high degree of connectivity between the site and the Beech Woods and Cleeve Common which are SSSI's.

O30 to reduce the risk of flooding and flood damage

Land downhill from the site already floods regularly. I will be submitting evidence of this shortly. Many locals have already stated in their objections that they will hold the Council directly responsible for the increase in risk that is absolutely inevitable if this proposal is approved.

O33 to safeguard the potential for the future provision of transport Roads are at capacity already. Particularly in the village of Charlton Kings

O35 to safeguard or improve personal safety in the transport system More cars so more risk of accidents especially for schoolchildren crossing London Road. One pedestrian crossing.

O36 to contribute to road traffic reduction and improve traffic flow One reason why Tim Fry was rejected but access to this site, which would be 20% bigger, would massively more problematic

It would be hard to think of a more vulnerable site in the whole of Cheltenham, or one that is less appropriate for development. This is very much the case even without considering our massively oversubscribed schools and surgery.

The new estate would no doubt be stunning, with gorgeous panoramic views and a range of very expensive high spec housing and luxury flats. The people picking up the tab for this will be the elderly, infirm and local authority housing tenants who will be most impacted in terms of flooding and traffic.

If Tim Fry was declined on two counts (jobs and traffic) this site is vastly more unsuitable. If you consider the damage the construction stage will have on the Prep and Kindergarten we could include potential risk to jobs, childcare and schooling along with a multitude of other impacts. These are: severe traffic impact, loss of residential and visual amenity, damage to or loss of heritage, loss of an important sporting and social amenity, loss of endangered species, reduced biodiversity, loss of ancient tree and hedgerows, damage to a possible archaeological gem, increase in road risk, lack of sustainable transport options and massively increased flood risk.

I don't think there is much left in the entire National Planning Policy Framework to comment negatively upon in regard to this proposal.

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NB Please be aware that a few of the letters on the Documents tab have been listed as "neutral" but upon reading them they are very clearly objections. Would you please rectify this situation for the sake of accuracy?

27 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 2nd September 2017

As residents near the top of Oakhurst Rise, we strongly object to the proposed development.

Building on this land at the top of a hill will lead to more flash floods of the River Chelt and the brooks/streams that feed into it. One small pond will not catch all the water absorbed by 10 acres of green fields and dozens of oak trees.

The volume of traffic from the proposed development would overwhelm the existing infrastructure of the estate. All of the roads feeding Oakhurst Rise are narrow and congested with on-road parking. The existing traffic flow throughout the estate is already chaotic and dangerous at the best of times - the traffic survey carried out in December does not give a true reflection of the reality.

Oakhurst Rise is a small, narrow and steep cul-de-sac with a blind junction leading into Ewen's Road. Oakhurst Rise is inaccessible in snow and residents resort to parking their cars further down the hill on neighbouring roads. How will the extra 200+ cars cope with snow/ice? And how will emergency vehicles access the development in snow?

The Tim Fry development recently failed to get planning permission, partly on the basis of traffic impact. The impact on traffic from this proposal would be far worse.

My wife is registered disabled and attends Prestbury Day Centre three days a week. She has been advised by the Centre that if the proposed development is approved then it is highly likely she will no longer be able to receive the Centre's minibus collection service due to health and safety issues (parking & loading).

The proposed site itself is a rare, organic wild flower meadow and should be protected as a matter of urgency - designation as a Local Green Space would be a good start. The site is bordered by ancient hedgerows (a part of which was illegally cut down by the developers) and contains many protected oak trees. Protected species at risk include badgers, 7 species of bat and dozens of species of birds.

25 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 1st September 2017

As a resident near the top of Oakhurst Rise, I strongly OBJECT to this Development. As it is to be the only access point to a new development of 100 homes, the additional traffic of 100/200 cars, vans and lorries up and down Oakhurst Rise daily is totally unsatisfactory and I expect when an Independent Traffic Survey is carried out on Oakhurst Rise and the surrounding estate roads it will confirm and agree my point. Oakhurst Rise is a quiet Cul de Sac with only bungalows built in it. It has two sharp bends and has two steep gradient. Not many people either walk or cycle up it. On Ewans Estate, which Oakhurst Rise branches off, and the routes from the main roads, the

roads are narrow with a lot of parked cars on them that even now it is a bit like an obstacle course to negotiate.

As Oakhurst Rise only has bungalows built in it and not houses as on Ewans Farm, to build houses such as the developers intend they will dominate above the bungalows and are not in keeping with the area.

My home, like many others in the area have suffered from flooding as several reports have already been submitted to the council. This again has to be approached by professional none biased people, and this was when only 3 homes were built to the left at the top of Oakhurst Rise. Now add an extra 100 homes -it will be an impossible situation.

Also this site is a Green Field area and developing it we would lose some of our wildlife, including many different species of birds, deer, foxes, badgers, snakes and insects.

In recent times the Tim Fry proposed development was not approved, one reason was traffic congestion and that was on a through road, now this is on a Cul de Sac so, based on that, this development should be declined as well.

The Council who are supposed to be looking after the resident's interest should take note of all the points raised and then follow them thoroughly. Not take the view of inaccurately and misleading information supplied by the Developers.

23 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017
Letter attached.

16 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017

My neighbours have written prolifically on this development - I wholeheartedly support their comments and am thankful for their diligence.

I write this missive as I vehemently object to this application; I struggle to understand how the application has proceeded so far, given the obvious environmental merits and developmental challenges of the area, and the bullish behaviours demonstrated by those working on behalf of the proposed developers, resulting significant stress and distress caused to local residents.

From a pragmatic perspective, whether access is through Oakhurst Rise or Charlton Court Drive, both are inappropriately designed / unable to cope with an additional 100+ vehicles. The issue remains that neither Ewans Farm nor London Road would be able to absorb the additional traffic, particularly through rush hour. It is already challenging to use these roads during peak times. Presumably, additional traffic lights would need installing at the interchange with London Road, at significant expense and inconvenience. The bus route has been modified and minimised, thus being of limited use to those prospective inhabitants of such a development. These points overlooking the more obvious issue of the propensity of parked vehicles in the roads, which are already a traffic hazard.

Flooding is an obvious risk and one which needs investigating thoroughly and which should not be ignored; in poor weather, the field is expressly water-logged with visible pools of water. The impact on drains and previous flooding concerns (notably 2007) have been commented upon by others. Additionally worth noting is that several of the homes in Oakhurst Rise have had structural work undertaken due to the threat of, or actual, subsidence since they have been built.

In the winter, during periods of extreme ice or snow, many of the residents of Oakhurst Rise have to park in the car park in QE2 fields as our road is too treacherous to use. Oakhurst Rise is high, and has a feel of a micro climate of its own - most winters we have snow and significant frosts and ice.

The proposed design is dense and involves the decimation of significant amounts of woodland and hedges. Such woodland is home to a family of deer, several families of badgers, red kites, bats, two types of woodpecker, hedgehogs and so it goes on. This is a rich, natural habitat for many diverse species and it is abhorrent to think of the wanton habitat destruction and effective culling of these species. Some of the ancient trees and hedgerow have already been catastrophically damaged by the agents acting for the developers. Once the green space is gone, it is gone. We should be doing all within our power to protect green spaces and instead looking to develop or regenerate existing sites, of which Cheltenham has many. We should continue to pride ourselves on being the town which relishes green space and our trees, by preserving such attributes, not wilfully destroying rich, diverse open spaces.

10 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 31st August 2017

I would like to express my concerns regarding the planning application for 100 houses on the fields off Oakhurst Rise.

The first issue is the increased risk of flash flooding due to more ground being paved over. We live in Oakhurst Rise and are extremely concerned the if the natural drainage from the field disappears the rain water will flow down the road into our houses. As you are probably aware all the houses in the road are bungalows so would also have no way of protecting our properties or belongings if we get flooded.

The entrance to Oakhurst Rise is also not suitable for the increased traffic the development would cause. The road is very narrow and steep and the extra traffic would have severe impact on the surrounding area as well.

Also the loss of greenfield would put the wildlife at risk. There are a lot of protected species which would loose their habitat. There are also protected trees on the site.

I would be very grateful if you could take my objections into consideration deciding on this application .

1 Churchill Gardens
Churchill Drive
Charlton Kings Cheltenham
Gloucestershire
GL52 6JH

Comments: 29th August 2017

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Traffic together with parking in the Ewens Farm area is already extremely bad. The impact of an extra 100 houses would make it ridiculous. I live on Churchill Drive and this is packed with vehicles 7 days a week and making it a single file road.

There was severe flooding a few years ago on Churchill Drive and Haywards Road, and it is a continuing problem on occasion. With this housing scheme built at the top of the hill, will just exacerbate the situation.

Apart from the dreadful impact of the above, we would then have to suffer the loss of more greenfield habitat. This is just as important as horrendous traffic problems and flooding.

2 Ratcliff Lawns
Southam
Cheltenham
GL52 3PA

Comments: 30th August 2017

I strongly object to this application. Not only is it in breach of national and local planning policy promoting healthy communities, it would mean the loss of valued open space which is used as a recreational area. It is of great value to those who live in this community. It threatens an area of beautiful green space and I cannot understand why you would consider this application. Developers appear to look for the easy option when Cheltenham has so very many brown field sites which could be developed.

11 Ashley Road
Charlton Kings
Cheltenham
GL52 6LF

Comments: 30th August 2017

Letter attached.

29 Oakhurst Rise
Cheltenham
GL52 6JU

Comments: 30th August 2017

Letter attached.

Comments: 26th February 2018

Letter attached.

Comments: 26th February 2018

Letter attached.

Comments: 13th March 2018

Letter attached.

Comments: 13th April 2018

Letter attached.

16 Ewens Road
Charlton Kings

Cheltenham
Gloucestershire
GL52 6JP

Comments: 2nd September 2017

We wish to express our strongest objections to the plans to develop the land adjacent to Oakhurst Rise.

We are gravely concerned that the scale of the project cannot be supported by existing local infrastructure and public services. In particular, we are concerned that:

- the only access will be via roads through quiet residential areas which are already disproportionately busy at peak times
- the already heavily over subscribed local schools will be inundated with an increased level of applications, unfairly disadvantaging young families already living in the area

We urge you to reject this application

4 Home Farm Court
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LA

Comments: 5th September 2017

Letter attached.

15 Hillview Road
Cheltenham
Gloucestershire
GL52 5AE

Comments: 5th September 2017

Letter attached.

15 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JS

Comments: 6th September 2017

Traffic is already heavy throughout the day and in particular at rush hour. The estate has for years been used as a cut through and adding traffic for 100+ years is beyond ridiculous and not taking into account long suffering residents. Access is a major issue, with just one supply road!

Lack of local school's, amenities, public transport etc etc. Impact on wildlife in the area with many varieties of fauna insects and yes wildlife!

I would imagine not a single resident of Exempt Farm is in favour and we object in the strongest possible terms!

The School Bursary

Cirencester Road
Charlton Kings
Cheltenham
GL53 8EY

Comments: 6th September 2017

The Trustees of St Edward's School would like to draw the following to your attention. Section 25 of the Application states that notice under section 65(8) of the Town and Country Planning Act 1990 was served to the School on 06/04/17. No such notice was received, and in fact the School was only formally notified of the application in a letter from SF Planning dated 15 August 17.

Comments: 8th September 2017

Letter attached.

Little Orchard
Charlton Drive
Cheltenham
Gloucestershire
GL53 8ES

Comments: 24th August 2017

As a Cheltenham resident who has been subjected to flooding, major housing developments upstream of Cheltenham are at best ill advised and at worst, a threat to the community.

Whilst so called flood alleviation elements may be incorporated in a planning application, the reality is that consistent heavy rainfall means they are ineffective. Please bear in mind that the Environment Agency spent £25m on flood defences including Cox's Meadow, and they didn't work. The results were £m of damage and disruption.

The best defence is to abolish large scale upstream development. The consequences of not doing this could lead to serious recrimination.

Comments: 8th March 2018

1 Large upstream development enhances flash flood threat to Cheltenham. (provisions don't work)

2 Traffic congestion in this area is already a nightmare

3 Sewage over spill in flood conditions will increase

4 Already existing pressure on school places and medical provision

5 Access to the development through an already crowded road system will be dangerous

6 Damage to existing natural habitat

Comments: 12th May 2018

1 The roads around the proposed access point for this site are already choked. Several years ago, a planning application to put a scout hut in this place were quite correctly turned down because of traffic considerations. To even consider a 90 property development seems bizarre.

2 Cheltenham is at risk from flash flooding. Large upstream developments such as this, can only add to the damage. Flood alleviation plans from developers do not work.(The £20m Environment Agency scheme did not work.)

3 New housing sensibly located is necessary. New housing in the wrong locations is a menace. This scheme is being done for profit and will damage the local community. This site was bequeathed to a religious order for educational use. That is what it is used for today and should continue to be used for in the future.

8 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 13th September 2017
Letter attached.

6 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017

As the owner/resident of property on Oakhurst Rise I feel that I must register my objections to the above Application in the strongest possible terms.

a) It passes all understanding how this project could even be contemplated, since a similar scheme was thrown out some 30 years ago because resulting traffic density would be impossible to handle efficiently. London Road was to be access/exit point. Statistics will no doubt be able to show how many more cars, vans etc. are on our roads today and not so long ago the 'Tim Fry' scheme failed to a large extent on the same issue. So why do we have this new urgency to build on land which is totally unsuitable for various reasons.

b) Oakhurst Rise: It is steep and narrow and cannot accommodate two-way traffic without hold-ups. In cases of emergency ambulances, fire engines etc. would have a job reaching relevant sites easily and lives could be put a risk. Charlton Court Road environs are equally questionable. Though on more level ground, the corners are tight and road width is not impressive.

c) Run-off: I well remember the Carmelites finding it necessary to dig a trench along the western boundary (traces are still discernible!) to accommodate run-off after heavy rain. This was with the field in its natural state, i.e. supposedly capable of soaking up heavy rain.

d) Much as one appreciates the need for more housing, can we have some figures showing JUST HOW MANY new properties are at present for sale within the Cheltenham Borough?

I await the Council's decision with interest.

Comments: 8th March 2018

Learning of the 'Revised Planning Application' for a housing development at St. Edward's School Field, I feel compelled to reinforce my previously voiced objection to such a scheme. The fact that there is now talk of 84 houses instead of 100 plus 16 flats does not change the prospect of there being heavy traffic congestion. The ONE AND ONLY ACCESS ROAD to this site will be Oakhurst Rise. This road is quite steep and narrow and when cars are parked on both sides, (as is often the case!) traffic is hampered.

Furthermore, O'Rise joins Beaufort Road/Ewens Road at a BLIND CORNER which is very sharp indeed and can be problematic for heavy goods vehicles, dust carts and/or emergency vehicles. There is also a bus stop by this corner, causing inevitable delays and back-ups of traffic.

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We all know that much new housing is needed, but if ill-considered developments such as this one bring traffic to a standstill, we will all be losers as far as our quality of life is concerned.

As for this 'much-needed new housing': just how many houses have so far been sold on that ghastly development by New Barn Lane? How many plans have been approved by the Council in the past 5 years and are still 'unbuilt'?

Finally, even if I repeat myself: since a similar, less brutal scheme was thrown out as long as 30 years ago, because of fully envisaged traffic problems, how can it possibly be considered now, when the traffic situation is so much worse than it was in those days?

In the hope that better council will prevail,

Comments: 2nd May 2018

Here we go again: More Council time and taxpayer's money to be wasted on someone's money-making venture.

No matter how many 'revised applications' this developer submits to the Council, available and existing approach road/s simply will not be able to accommodate the increased traffic volume which would be inevitable. Can we be told whether or not the Highway Commissioner has been informed of this unreasonable venture, and if so, what his/her views are on the matter? Oakhurst Rise is simply too narrow and the blind corner at the bottom of the road is even now a potential traffic hazard. In fact, the road is so narrow that if and when cars are parked on both sides of it (Owner's full legal rights!!), the builders would not be able to get the first cement mixer on site.

In the sincere hope that common sense will finally prevail and this scheme be dismissed, and that we will not need another costly Public Enquiry as we did in the Eighties.

32 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017

We strongly object to this planning application for the following reasons:-

- Loss of privacy - we will be overlooked by the development.
- Pressure of traffic throughout the Ewens farm estate and local access roads. These roads are already very busy and frankly dangerous at times, especially during rush hour. The 20mph limit is rarely observed by motorists using it as a rat run from London Road/Hales Road and many cars are parked on the roadsides. It is already hazardous and unpleasant to walk on these streets at busy times.
- The access road in Oakhurst Rise is highly inadequate. The approach is steep, narrow and with limited visibility. It would be dangerous to have an additional 100+ cars using it as an access road. Any attempt to make an access road from Charlton Court Road would also be unfeasible as it would remove essential parking spaces. Some houses have 2 or 3 vehicles. It would create insurmountable problems with parking and congestion. Also, with a very steep gradient, these roads are unusable during icy weather. They are not gritted and are equally unsafe and unusable in icy conditions.
- The density of the proposed development is not in keeping with the area.

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- Risk of flooding - the present infrastructure will not cope with the additional runoff water from the site. There are springs and documented flood problems on the site and adjacent to the site. The application does not take into consideration the significant flooding in the surrounding area and downstream in central Cheltenham. Drains in the area already struggle to cope with heavy rain.
- Pressure on local services - doctors and schools. Schools in the area are already oversubscribed.
- Loss of wildlife habitat, hedgerows and trees. Badger sets may be extensive. Deer also inhabit the area, together with bats, woodpeckers and owls.
- Loss of a rich biodiverse site, green space, sports amenity and community amenity to Charlton Kings.
- The 1984 proposal was rejected on the grounds of drainage for considerably less acreage of development. More recently, Tim Fry had an application for development rejected on the grounds of volume of traffic. This is the very same route people would take to the proposed development
- Detrimental to the visual impact of the town and an unsightly blot on the landscape. The site is visible for miles around.
- Air pollution. The London Road is already cause for concern with high levels of pollution. Yet more cars using the road can only make things worse. There seems to be no plan for traffic impact. The traffic survey taken by the developers is flawed.

We hope you support this and all the other objectors comments and reject this outline application.

31 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 4th September 2017

Privacy - my house runs parallel along the perimeter of the proposed development in the field. In the plans there is a house that will run alongside my own house therefore invading our privacy.

Peace - we chose to live in this house in July 2016 primarily for the peace and quiet it affords us with just fields next to us. The proposed development will have a play space in the area, which will seriously impede our right to peace and quiet as will hundreds of other residents and their cars, of which there could be over 200 if there are two cars per household, which is the norm these days.

Environment - with over 200 extra cars comes much higher emissions and fumes. This is simply dangerous especially when my partner has respiratory issues. We currently enjoy watching the wildlife from our landing window, we see deer, squirrels, owls, bats, a locals walking their dogs or taking a stroll on the fields. Not only will all of the wildlife disappear I will be looking out of my landing window into another property.

Social - it is extremely hard to get a doctors appointment at our local GP practice, how will the local surgery take on hundreds of extra patients? The schools are over subscribed, how will they cater for the extra pupils?

Lastly and very importantly, I have an engineers report that states that my house has suffered subsidence due to a tree and should it be moved it could severely impact the structure of

my property. Who will be responsible for that especially as there is a TPO on the tree, which the council has twice refused to lift?

This is a very bad idea and to be honest, not a very Christian thing to do by an order of monks who should be protecting their gods creatures

29 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 9th September 2017

We strongly object to the planning application: Tim Fry housing was rejected due to the concerns of drainage, and the cars using the side roads of 20 miles restriction due to the populated area of small children. The road is used as a cut through now and will be gridlocked if this goes through. Living in our road we have issues with the drainage at the rear of St Edwards as the gully was put in to take the flow of water from the hill, which will be lost if the field is built upon so will the Council fund the damage to our properties and pay the increased insurance costs which may be forced upon us.

Charlton Ct Rd can not accommodate the vol of cars proposed to cut through our road as a backhanded sale of purchase of a neighbours garage to proceed on this sale of unnecessary housing with no facility for extra pts at the GP practice or the schools which are over subscribed now by neighbours children not being successful in their first choice.

Comments: 11th September 2017

I strongly object to the proposed houses being built at the rear of our property as the volume of housing will affect the drainage at the properties as it currently has draining issues with a gully running down the rear of the boundary.

The roads will not cater with the amount of cars which will on average be two cars per household passing through a route which is all ready gridlocked in the mornings by cars cutting through from Hales Road and London Road. Our Neighbors already have advised us that the builders have approached them to sell their garages to allow the planning to be put through as they are aware of the objections from the residents in the vicinity already.

Tim Fry has his land rejected for building with the same principles due to concern to the volume of traffic.

25 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017

I wish to object to planning ref 17/00710/OUT. I cannot believe it can even have reached this stage in planning!!!

- There will be a severe impact on traffic throughout Ewans Farm, Charlton Court Road, Haywards Road, Hales Road and London Road. At the moment these roads are full of parked cars and often force roads to become single line traffic - another 100 houses could add an additional 300 to 400 cars and the roads cannot cope with this. The view at the junction at the bottom of Beaufort Road is always obstructed by cars but can cope at the moment because of

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the numbers of cars. If you increase the traffic flow down Beaufort Road this will cause difficulties at this junction and for cars turning out of Charlton Court Road.

- As Ewans Farm is often used as a short cut between Hales Road and London Road cars treat this as a rat run and speed through again this problem will only be exacerbated by more traffic.
- School children walk to a number of schools in the area and this will be an additional danger for them
- Oakhurst Rise is a tiny cul de sac with bungalows and is totally inadequate for an access road to an additional 100 houses. .
- I live on Charlton Court Road and back onto St Edwards school field. most mornings there is at least one deer wandering around early morning feeding and generally enjoying the habitat - these are wild deer which will not stay if their habitat is disturbed or worse still destroyed.
- Although I no longer have school children I know that school places are still at a premium in this area and extra housing can only put more pressure on schools.

Comments: 10th May 2018

I feel I would like to comment again on the number of dwellings planned. It appears the number has reduced from 100 to 91 this is still far too many for the road infrastructure. The adjoining roads will not cope with the additional traffic and schools will not cope with the additional population. 91 dwellings still has a potential of over 200 cars! I am also concerned with the possibility of drainage easement in Charlton court road. This could cause movement of land and damage to property. Finally I still believe this will have a detrimental effect on the wildlife currently enjoying the fields.

This development should never be allowed.

20 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 10th September 2017

I have briefly reviewed the application and supporting documentation and comments/objections raised by neighbouring properties. Being slightly further away from the proposed development site I intend to limit my comments to matters I believe will impact on my property, although I concur with comments raised by residence who reside closer to the site.

I consider the scale of the proposed application to be totally disproportionate to the surrounding infrastructure and amenities for the following reasons:

100 homes of which 84 will be 3+ bedrooms will mean an increase of anywhere between 200-400 cars. The access route to the site is totally inadequate to cope with the volume of traffic that it will produce. Access is via a one way system, with traffic calming throughout, cars on a number of surrounding roads parked either side and is very steep. The area is already congested at peak times and this will only exacerbate the problem. Furthermore Charlton Court Road at the approach to London Road has a narrow footpath and is the main access route to local amenities, schools, shops, doctors surgery. Pedestrians, numbers of which will also increase at peak times, will be placed at greater risk.

The substantial increase of vehicles will increase noise and emission levels in the area.

100 homes of which 84 are likely to have between 3-5 residents will place substantial demand on the current (old) drainage system. I note there is a potential proposal to link into the drainage system in Charlton Court Road very close to my property. I am concerned this may make my property vulnerable to flooding. There is also the issue of surface water. The site is on an elevation. I am not convinced the current proposals which include a pond are adequate to absorb the levels of water that the area could suffer in the future.

100 homes places a huge pressure on already inadequate local services, including the local doctors surgery and primary, junior and senior schools which are already over subscribed.

I have not looked at previous similar applications in any detail but it would appear from comments made there have been a number of residential planning applications for smaller developments which have previously been refused on the grounds of inadequate infrastructure - namely highways network and local amenities and the risk of flooding. It is therefore difficult to see how this proposal could possibly be deemed to be acceptable and granted.

21 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017

We strongly object to this planning application.

The building of 100 houses, additional vehicles and people, will have a detrimental effect on the entire community i.e. flora and fauna, surgery, schools and the congestion and pollution by possibly 200+ vehicles.

The proposed drainage via the St Edward School field adjoining the Charlton Court Rd cul-de-sac shows that foul and storm water drainage pipework would be cut through the boundary hedge and trees at the end of the cul-de-sac, which is already subject to flooding after heavy rain,

Besides the disruption and upheaval of this, a worrying consideration is the probability that once the ransom strip has been breached it will give the opportunity for the development of an access road through this quiet and secluded cul-de-sac.

In fact, both foul and storm water drainage could be taken south on land owned by the Carmelite Order, to the pipework on the A40 and to the watercourse at the bottom of the incline.

Comments: 22nd February 2018

Ref drawing title - Below ground drainage GA sheet 1 of 4
Drawing no. C21505-0505

It is an unfortunate oversight that this drawing omits both St Edwards School boundary line and the five houses within the Charlton Court Rd cul-de-sac, through which it is proposed to direct the storm water drain from the St Edwards school development site. A visiting planning inspector could view this glaring omission as an open area, which it is not.

The storm water drain and outlet could be taken directly to the watercourse at the bottom of St Edwards school grounds, thus eliminating the unnecessary disruption and upheaval such an undertaking would make within the cul-de-sac.

It is well known that exhaustive surveys are undertaken to ensure the well being of bats,owls, newts etc. Perhaps thought should also be given to the three of the five households within the cul-de-sac who are senior citizens. These elderly residents are currently registered with utility

companies as vulnerable, requiring special attention should these services be interrupted. What provision would be made to ensure full access to their properties for emergency/medical services. Surely their well being is worthy of consideration before a final decision is made to allow such an invasive action.

We are in full agreement with the views of the majority against the application relating to the development of 100 houses on St Edwards school ground.

22 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 10th September 2017

Having endeavoured to assimilate the mass of information from the developers, I wish to record strong objections to the proposed development.

1. I firmly support the objections and observations made by local residents
(a)Meadow view, Birchley Rd (b) Charlton Manor (c)Tall Timbers, Ashley Rd particularly for Traffic issues (d) 29 Oakhurst Rise particularly on drainage and flooding issues.
2. Access via Oakhurst Rise and Ewens Farm Estate is wholly inadequate. The developer's traffic survey does not bear out my experience at the morning rush hour. If the 'Tim Fry' development was rejected on traffic grounds, this application is a non starter !
- 3.Heavy rains have caused run off into my property and the cul de sac. Ditches have been dug on St Edwards field, but there is still run off into the cul de sac.
- 4.'Easement'. It is an imposition to the CBC and to residents for the developers to put drains into Charlton Ct Rd when the Carmelite Order owns the land through to the brook and to the A40. Can the brook and can Ch Ct Rd sewers cope with the extra ?
- 5.Loss of flora and fauna - unacceptable. This land and playing fields are a 'lung' in the heart of the built up area,
6. The 1980's proposed development of 30 houses on the lower school field was rejected, I believe, for traffic and flood risks. (and for drainage?) The more so should this be.
- 7.Visual impact. There would be loss of views of the current site from the AONB and from Charlton Kings village.

In all, an application to be rejected.

Comments: 13th February 2018

Good to see great efforts made to go somewhere towards keeping the flora and fauna of the site. However, access to the site remains totally inadequate both for the intended residents and for the developers needs.

The density of housing remains unacceptably high.

Drainage via the storm water Sewer:- as a resident of Charlton Ct Rd I object to our system being subjected to possible overload and the consequent issue into the brook. The Arboriculturist has ignored the trees on St Edwards field immediately by the cul de sac where the SWS is to

encroach into the cul de sac. Trees 614, 615 and 616 (Oak Ash and Scots Pine) on St Edwards' schedule of trees. No Root Protection etc here.

The 1984 Planning refusal for the development of the lower school field : " the site lies within the Battledown Hill Policy Area and the development of the site would be detrimental top the amenities of this attractive open area. The proposal would be likely to result in a loss of a number of fine trees on the site. The proposal would be likely to exacerbate the existing flooding problems in the area. The surrounding roads are inadequate to cope with the anticipated number of vehicles which would be generated by this development." I submit that this not only holds good but that the general traffic situation is now worse

I object to the proposed felling of trees T14, T36, T38 and T44. None are 'U' on the Arboriculturists' list.

Comments: 6th May 2018

91 houses rather than 100 does not in any way decrease the intrusion into the countryside nor reduce problems of access into the site for prospective inhabitants. Overload of traffic on the approach roads through the Ewens estate remains.

The intrusion into the drains of Charlton Court Road remains, still with possible overload, when it seems possible to access the main drains of the London road directly as do the drains of St Edwards Junior School. CBC is being asked to subsidise the proposed development by easing the costs of the drainage !

11 Ewens Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JW

Comments: 1st September 2017

Access totally inadequate Ewens Road has a weight restriction to lorries the impact on this area would be terrible

15 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 1st September 2017

My objections are twofold. Firstly, I believe that the number of houses proposed will have a severe impact on local traffic, which will cause significant nuisance and inconvenience, not to mention safety of local residents. Bottlenecks will be created at various points in particular access into the London Road, via Charlton Court Road. Generally, the increased volume of traffic is totally unsuitable with such confined access.

Secondly, there will be an unacceptable increased risk of localised flooding due to large sections of the field being paved over with no satisfactory solution to the run off problem.

Comments: 1st May 2018

Like everyone else, access and drainage are the main concerns. This location cannot cope with any increase, nor can other amenities such as doctors, schools etc. It seems to me that although everyone objects to this proposal, the developers, who after all are only interested in making a

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profit, have an unreasonable influence on the council and the decision making process. Can the council confirm that there is NO financial incentive to them to approve this plan in any form.

20 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JJ

Comments: 3rd September 2017

We are writing to object to the proposed building of 100 homes on fields behind St Edward's Prep School.

The plan to develop this green field site would have a devastating impact on the wildlife such as bats, newts, slow worms, adders, deer and birds.

It would involve the destruction of many protected oak trees.

Another issue that concerns us is that the site would be accessed through Oakhurst Rise which is a steep, quite, narrow cul-de-sac completely unsuitable for so many potential residents' vehicles.

Our greatest worry, however, is that of an increase risk of floods if those 10 acres are covered over. The permeable green fields acting as a sponge will result in greatly increased rain water running in drains risking overloading an already burdened system. What do the developers propose is the solution to this?

Lastly, the increased population in an already busy part of Cheltenham will put severe pressure on school and GP places.

May we ask why the Brownfield Tim Fry proposal was rejected recently? Apparently, one reason was traffic. May we ask why a proposal to build only 30 homes off Charlton Court Road in the 1980's was rejected due to unacceptable traffic and flood risk.

36 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HG

Comments: 3rd September 2017

I object to the planning application on the following grounds:

1) I often drive through Ewen's Farm Estate as the back way between the London Road and Hales Road. I think you would have chaos if a further 100 houses were to use this as their only access to Oakhurst Rise.

2) There is already a flooding problem in Greenway Lane as the existing run-off has in the past flooded the sheltered housing development below the St Edward's playing fields and the situation would only become worse.

12 Southgate Drive
Cheltenham
Gloucestershire
GL53 7QR

Comments: 3rd September 2017

I would like to strongly object to this proposal as it will not only ruin yet another area of outstanding beauty but it will increase traffic in an already clogged up road system. Sixways is an attractive shopping spot but to be able to park and use the facilities on offer, it will become more congested if 100 houses are built locally.

Flooding is becoming more and more of a concern these days due to building houses on green areas and I think that this is a real threat to local homes that are already at risk.

I think that the council will be making a very poor judgement if this proposal is allowed.

12 Beaufort Road
Charlton Kings
Cheltenham
GL52 6JT

Comments: 6th September 2017

I wish to object strongly to the proposed planning of 100 homes being built, on the grounds of the extra traffic it will bring to the Ewens Farm Estate. I live in Beaufort Road and have (like other residents on the Ewens Farm Estate) have to contend with the amount of traffic at the moment which use the estate as a "cut through" between London Road and Hales Road. I have mentioned this to the Conservative Team previously and also the Highways Department. Nobody seems to be able to resolve this problem. This latest proposal will only make worse an already serious traffic problem.

71 Southgate Drive
Cheltenham
Gloucestershire
GL53 7QR

Comments: 6th September 2017

Letter attached.

25 Brook Vale
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JD

Comments: 6th September 2017

Letter attached.

Comments: 22nd May 2018

In my previous letter objecting to the above, I wrote about the problem with cars parking on Charlton Court Road prior to the turning into Brook Vale.

During the last few weeks a refurbishment has been taking place at the Langton resulting in the partial closure of its car park. This car park would appear to be used by people working locally and since its closure there are up to six cars being parked on Charlton Court Road above Brook Vale and up to three vehicles have been parked in Brook Vale, which already has its problems, furthermore, up to three vehicles have been parking below Brook Vale.

Driving in and out of Brook Vale is extremely difficult because of all these vehicles (and especially when the P Bus is turning into or out of Charlton Court Road) and should they be prevented from

parking at the Langton following its refurbishment, Charlton Court Road which is already hazardous will become absolutely dangerous.

Birchley House
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 8th September 2017

We are the owners of Birchley House which is very close to the northern boundary of the proposed development site.

We have read the objections posted on the web site and in particular those submitted by our neighbours the owners of Coversdown. We find that their submissions have been particularly well researched and as a consequence their conclusions are fully supported by us.

We therefore wish to object to this planning application and would strongly urge the Council to refuse it.

Inches
Birchley Road
Cheltenham
Gloucestershire
GL52 6NX

Comments: 11th September 2017

We strongly object to the above proposals on several grounds:

The impact on the catchment of Balcarras school would be catastrophic - there could easily be 200 children applying for a secondary school place from this site, which will push out many children, not just on the edges of the proposed site, but also throughout the catchment. When I mentioned this concern to the planning agency/PR at the public consultation back in January, it was met with an arrogant 'Tough, that's life isn't it!'

The loss of amenity to many would be great, as the doctors surgery would also be overwhelmed.

The proposed buildings are out of keeping with existing buildings on at least on three sides of the site. The St Edwards's building is a listed building and on Ashley Road there is a Grade II listed house. All the houses in Battledown that border the site are on half acre plots, so to have numerous houses on much smaller plots 'over the hedge' is simply not in keeping.

It is hard to see how the roads and infrastructure will cope. The development would turn the roads up through the residential streets of Ewens Farm into a virtual dual carriageway, as there could be up to 250 extra cars using these roads. As it is, the roads that are used as a cut through are heavily congested in the mornings and evenings. I understand that a traffic survey was carried out, but this was apparently undertaken during half term holidays when traffic was much lighter, so this would not have given a true picture of the traffic flow. I understand that the Tim Fry development was partly rejected because of traffic flow concerns.

The visual impact of the development would not be appealing as you drive into Sixways.

The claim that much needed social housing will be provided should in the words of a planning officer at the planning meeting to consider the proposal on the Tim Fry site, 'be taken with a pinch of salt' as in most cases as soon as planning is granted, the developer then often says that it is

simply not financially viable to continue with the social housing aspect of the development. Many of these houses would probably be bought as investment properties and marketed with a higher premium because they are in the Balcarras catchment area.

The flood risk has been well documented. We live at the top of Birchley Road and when there is heavy rain the water just runs down Birchley Road in torrents, so any houses built on the side of a hill adjoining Birchley Road, would carry a huge flood risk.

The residents, many elderly, of Oakhurst Rise have the right to quiet enjoyment of their homes and the noise and nuisance from heavy plant during the construction would be unbearable for many as well as the huge increase in the flow of traffic upon completion of the development.

Hillcrest
Birchley Road
Cheltenham
Gloucestershire
GL52 6NX

Comments: 10th September 2017

We live on Birchley Road, Battledown and we object to the planning request to build on the field above Oakhurst Rise. Our reasons for objecting are as follows:

1. Loss of greenfield space. The field above St Edwards School is a haven for wildlife and is a great view for such an important Cotswold town like Cheltenham. The wildlife there will be lost as will the hedgerows and oak trees and yet another green space concreted over. Is this what Cheltenham wants? Cheltenham has a reputation of being a good-looking town but the more it is filled in the less attractive it becomes. There are plenty of other spaces around Cheltenham which are more suitable for 100 houses and which would not cause as much devastation as will happen on this site.
2. Schools and GPs etc. We understand there is a shortage of school places on this side of Cheltenham and are the surgeries not already over-flowing? Have these points been considered?
3. Flooding. The field in question is important for drainage and we are advised that there will be increased risk of flooding if this field is built upon. As seen at Tewkesbury, build on areas liable to flood then the water has to go somewhere else. In this case if the water can soak in then it will run down the hill. Flash-flooding and the flooding of drains and soak-aways will become more prevalent.
4. Loss of another beautiful space. Why is this considered a suitable building spot when areas like the brown-field site just below it - around Tim Fry Landrovers - was rejected? How can that make sense? Traffic? It will be worse if this planning is approved.

We object to this planning because it is destructive and there are more suitable places to build 100 houses with destroying a beautiful part of Cheltenham.

244 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6HS

Comments: 31st August 2017

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I am writing with regard to the above planning application. I have reviewed the plans and know the site well as my garden backs onto the St Edwards grounds. I wish to object to the development of the houses in this location

The fields at the back of St Edwards are a greenfield site and contain unique and diverse habitat, as such I believe that any development proposals should be considered very carefully. The grounds at the current time house a range of wildlife and vegetation including many birds and animals such as badgers as well as a range of lovely and established trees. I also note that these grounds are used for community events such as the fireworks.

Whilst I would be very sorry to lose the green field site and array of wildlife, my main grounds for objecting relate to first the impact on traffic/ access and secondly the potential impact on flood risk. I am also concerned about the loss of trees and potentially privacy.

1) Traffic / Access

My experience is that this is an already busy area and my concern is that the addition of a further 100 households will exacerbate this considerably. I already find it difficult to get out onto London Road (routinely queuing for considerable time, with parked cars often making this harder) and the additional volume of traffic will add to this. It is also not clear to me that the access at Oakhurst Rise is adequate to support the proposed development, or that the surrounding roads (such as Haywards Road) can stand the additional traffic and parking

2) Impact on Flood Risk

The green fields currently in place are permeable and act as a valuable 'soak' so helping manage water and flood risk. The removal of these will create challenges in terms of the run off from the development. Its not clear to me from the information I have seen, how this is to be managed.

I also note that applications in the surrounding area, have previously been rejected in part on the basis of flood risk as well as impact on traffic. It is not clear to me what is different in relation to this development and why it is acceptable here

If this application is to be decided by Councillors, I would be grateful if you could please take this this email into account in your considerations .

Comments: 14th February 2018

I am writing with regard to the above planning application. I have reviewed the revised plans and as noted previous know the site well as my garden backs onto the St Edwards grounds. I wish to object to the development of the houses in this location

The fields at the back of St Edwards are a greenfield site and contain unique and diverse habitat, as such I believe that any development proposals should be considered very carefully. The grounds at the current time house a range of wildlife and vegetation including many birds and animals such as badgers as well as a range of lovely and established trees. I also note that these grounds are used for community events such as the fireworks. Whilst i can see that some changes have been made to the layout, the plans do not appear to be substantially different and still involve an additional 100 houses.

As before I would be very sorry to lose the green field site and array of wildlife, my main grounds however for objecting relate firstly to the impact on traffic/ access and secondly the potential impact on flood risk. Whilst i can see that efforts have been made to retain more trees in the revised plans, i also remain concerned about the loss of trees and potentially privacy.

1) Traffic / Access

My experience is that this is an already busy area and my concern is that the addition of a further 100 households will exacerbate this considerably. I already find it difficult to get out of my home onto London Road (routinely queuing for considerable time, with parked cars often making this harder) and the additional volume of traffic (particularly queuing to get onto London Road) will add to this. It is also not clear to me that the access at Oakhurst Rise is adequate to support the proposed development, or that the surrounding roads (such as Haywards Road) can stand the additional traffic and parking

2) Impact on Flood Risk

The green fields currently in place are permeable and act as a valuable 'soak' so helping manage water and flood risk. The removal of these will create challenges in terms of the run off from the development. Its not clear to me from the information I have seen, how this is to be managed.

I also note as before that applications in the surrounding area, have previously been rejected in part on the basis of flood risk as well as impact on traffic. It is not clear to me what is different in relation to this development and why it is acceptable here. I am particularly concerned given the high number of dwellings which could not unreasonably lead to another 200 vehicles in an area where there is already congestion.

If this application is to be decided by Councillors, I would be grateful if you could please take this this email into account in your considerations .

Highcroft
Oakley Road
Cheltenham
Gloucestershire
GL52 6NZ

Comments: 29th August 2017

As a resident of the Battledown Estate for over 25 years, I object to this application in the strongest terms.

My reasons , in no particular order of importance, are as follows :-

- 1) It is not in keeping with the Council's designation of the site as green belt/open space .
- 2) To allow it would be against the Council's other published planning policies and guidelines for this local area.
- 3) Any development of the site would result in a loss of an important recreational area for the benefit of the local community.
- 4) The development proposals for such housing would cause damage to the local area's biodiversity , including protected hedgerows , trees and wildlife.
- 5) The elevated position of the site if so developed would materially and adversely permanently change the Cheltenham skyline as viewed from many public and private vantage points , including Battledown Estate. This would be to the detriment of all local inhabitants as well as visitors and tourists to the Town.
- 6) Any such housing development would be out of keeping with the housing density and type of residences on the neighbouring land areas. They would all suffer a significant infringement and/or loss of privacy , rights of light and visual amenities.

- 7) Any such development would significantly increase the risk of flooding of the surrounding areas arising from ground and surface water drainage from this elevated site.
- 8) Increased access to and from and the associated significant intensification of use of this site if so developed would result in increased and unacceptable traffic generation on to the already overcrowded local road network. This will substantially increase the related health and safety risks.
- 9) For the record, any request for access to the application site via the Battledown Estate will be strenuously resisted for the same reasons.

Please ensure my above objections are all taken in to account when this application is considered.

Comments: 13th February 2018

I have received the Council's letter of 9 February and reviewed the revised/additional information. I confirm that my previous objection and reasons for such objection to this planning application still stand.

Comments: 2nd May 2018

Thanks for your letter of 30 April confirming the further revisions to the above application. I have reviewed the new documents on-line. In my opinion , the nominal reduction to 91 dwellings and increased affordable housing provisions makes no difference whatsoever. The "green" and elevated location should not be lost to intrusive development based upon a balance of the applicable planning policies. Further, any such intense residential development as proposed on this site is simply not sustainable on so many levels, including the overriding access and drainage and flood concerns and none of which have still been adequately addressed by the applicant. Therefore , all of my previous objections to this revised application still stand .

19 Oak Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JG

Comments: 29th August 2017

We have 2 main concerns regarding the development off Oakhurst Rise Charlton Kings

Traffic:

The main two access roads towards/from the site are Ewens Road and Beaufort Road. Residents in the area face the prospect of 100 or more extra cars per day coming down Beaufort Road. This is a narrow road with necessary parking on the Eastern side and is also used by buses and, at times, as a short cut by vehicles around rush hour.

The Ewens Farm estate is a purely residential road with good air quality, which will become more heavily used. All the roads on the estate are narrow with necessary parking, there are a huge number of families living on the estate and the increased traffic will substantially increase the related health and safety risks, especially with regards children. Who regularly walk to school and also use the small park at the junction with Oak Avenue and Churchill Drive.

Junction from Oakhurst Rise on to Ewens farm is 2 way traffic.

The other access to the site is via Ewens Road, which is equally narrow and two-way. It is also necessary to go up this road in order to access Beaufort Road. From the south this requires a right turn from Churchill Drive, which will become a lot more difficult and dangerous if the traffic in both directions along Ewens Road is increased.

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The only area which would not face this substantially increased number of vehicles as through traffic is the site itself.

The route from the alleyway starting in Roosevelt Avenue out to Beaufort Road is regularly used by school children on their way towards the schools in Charlton Kings. This route ends by crossing the bottom of Beaufort Road and also by crossing Charlton Court Road from West to East. The increased traffic along these two roads will add to the danger faced by school children and also the elderly on their way to the Six Ways shopping area.

Flooding:

Any such development would significantly increase the risk of flooding of the surrounding areas arising from ground and surface water drainage from this elevated site.

I am a resident of Oak Avenue and the brook that flows from the fields by St Edwards School runs through my garden. Back in 2007 all the properties in Oak Avenue were severely affected by flooding which was caused by a huge volume of water coming down the brook and getting trapped under the small park by problems with the culvert there.

I can only think that an additional 100 houses with all the water run off associated with them will detrimentally affect the brook and surface water run-off from the roads. Can the local authority assure us that this planning proposal will not raise the risk of flooding of my property and those of my neighbours?

In addition the flood zone map created 26 March 2008 shows on page 4 a preponderance of incidents of "Recorded Flooding" in both the categories of "Artificial Drainage" and "Unknown" following the line of Oak Avenue. Anyone who has dug their garden or who remembers the old brick works will know this is an area of clay soil, which is always damp.

Below the play area in Churchill Drive Severn Trent Water installed an underground shaft storage tank in 2003 (03/00352/FUL refers to it)

Comments: 1st March 2018

Whilst we appreciate the need for more homes, our comments from the previous application still stand. The access to the site is through Ewens Farm which is in places single track road with parking on both sides and No Entry signs at several junctions. The increase in traffic will seriously overload these roads which are already used as a "rat run" by vehicles avoiding traffic on London Road.

Emergency vehicles have difficulty in accessing Oak Avenue now due to the amount of parked cars.

Construction vehicles will have serious difficulty in accessing the site from Oakhurst Rise up the steep slope and will cause more problems for the surrounding estate traffic.

Also there is no provision for more shops or schools.

The Firs
Ashley Road
Cheltenham
Gloucestershire
GL52 6QE

Comments: 1st September 2017

I am a local resident and battle the traffic on the Hales road and the Six Ways junction on a daily basis. This development will turn an already choked up system to total grid lock.

It's a bad idea for the community, for the environment and for public health. Are we to lose every green field site left in the Cheltenham area? This particular location is home to some treasured trees and wild life and in typical fashion it is under attack from profit seeking developers. I fear that the council is under pressure to provide housing and will therefore ignore the dire effects this size development will have on our area.

Allowing this development continues the trend of destroying our green spaces, killing off natural habitat, increasing traffic jams, increasing the risk of flooding and generally overcrowding an area of natural beauty.

Please protect our environment and the local community and turn down this application.

77 Pilley Crescent
Cheltenham
Gloucestershire
GL53 9ES

Comments: 2nd September 2017

The pressures on the local area's amenities will be too great. The field is an important facility used by many local schools and many children and families will feel the impact, not to mention the wildlife that currently resides in the field.

10 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 2nd September 2017

I object strongly to the proposed development. As a resident of Oakhurst Rise, my main concern is the proposal to use this narrow and steep cul de sac as the sole means of access to a large new development.

The impact of traffic associated with this development will be catastrophic on the existing residents of this small, well established and compact community. This will start during construction with no doubt hundreds of lorry movements. Then later there will be, I guess, up to 300 or 400 daily car journeys from the 100 houses.

The road is very steep, narrow and regularly at almost bottle neck with on road parked cars which makes it totally unsuitable as a major thoroughfare to this development.

Another issue is that the road is regularly impassable in winter due to snow and the steepness of the first section up from Ewen's Farm, the few residents who commute daily leave their cars at the bottom of the hill and walk up and down. That's workable with 25 houses mostly with non-working families but what will the residents of the 100 new houses do?

If the developers want to build anything on this location then they need to build an access road through the school to London Road not try and impose their unwelcome traffic on a physically unsuitable road and well-established small community.

I urge the interested parties to visit Oakhurst Rise and see for themselves how unsuitable it is as the sole means of access to this huge new development.

7 Sir Charles Irving Close
Cheltenham
Gloucestershire
GL50 2DS

Comments: 11th September 2017

I sincerely object to the building of any houses on the site, for a number of reasons.

Environmental; First of all it is a natural safe haven for many animals in the area, probably one of the most bio diverse areas in the whole of Cheltenham, including some outstanding beautiful, old and amazing trees worthy of protection.

Safety Hazards; Any building on the grounds would increase the risk of flooding of the nearby areas, including the neighbouring school, where the children would be left to suffer and be put in danger on constant slippery and muddy grounds.

Traffic; it is already congested in the area, and would become even worse if a 100 more houses were added to the area.

Cheltenham Social "Glue"; The yearly bonfire event, a trademark of the area, attracting more and more people each year, and bringing more and more locals together, would cease to exist.

2 Allan House
Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LP

Comments: 11th September 2017

I am concerned that this development would be against the interests of the community.

It would exacerbate the risk of flooding in a town which has suffered badly from flooding in the past.

It would burden an already congested road system.

The irretrievable loss of natural green space would diminish the quality of life of thousands of people.

5 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 11th September 2017

We are strongly opposed to the proposed build of 100 houses at Oakhurst Rise.

We have read the comments of many of the 200 objections which have been submitted so far and there are many recurrent themes which are entirely appropriate identifying this development to be entirely inappropriate. We are happy to provide references to support the comments below and with previous experience are aware of the Local Plan and other plans made available both nationally and locally which are designed to help make decisions on such proposals.

Some of the issues we would like to raise in particular are as follows:

- 1) Important green space in the urban grain of this area is inappropriate and causes overcrowding of this area of Cheltenham
- 2) Loss of wildlife habitats and important wildlife corridors - this area more than many others, has real benefit to bats, owls, newts, birds, badgers, mice, voles, deer and other wildlife we should be trying to protect not destroy.
- 3) Impact on schools. All the local schools are full and there are no plans for expansion. The families in this area already have to split their children's friendships up when they move to senior school and have to transport them further away. The infrastructure cannot cope. The local MP is aware of these issues.
- 4) Transport. The London Road, Greenway lane and other surrounding roads are awful at rush hour and at other times too. Sixways is overburdened too. This will only add more pressure to this area in an unpleasant and unsustainable way adding to local pollution.
- 5) St Edwards School. Has a vital role in the local area for developing young children. It has regular use of the site including sport, education, nurturing, environmental and uses for the wider community. The long Cheltenham tradition of the bonfire night event is a real celebration of Charlton Kings community and often over 1000 people attend.
- 6) Environmental effects. We have read the outline report by the developers and it is at odds with what the local people know. We disagree strongly about the comments that the land isn't used regularly, they deny problems with flooding, transport links really are an issue and they have not addressed (or dismissed) the environmental and social effects of such an inappropriate development.
- 7) Healthcare. Sixways Surgery and others locally too are overstretched with patients lists longer than recommended. It is difficult to get to see a doctor in a reasonable timeframe and this will only put more pressure on an overburdened system.
- 8) Loss of Amenity. We understand that individual loss of amenity is often not a factor in planning considerations but there is a wider issue for the community. This infill will reduce green space with inappropriate density of population for this area and irreversibly cause a negative effect on the environment and social setting for this area affecting the quality of life for residents.
- 9) Previous rejection of planning proposals for this site. Nothing has materially changed for the Council to decide that any new proposal for this site is appropriate.
- 10) Local heritage. This site is important locally and the developer's report is dismissive of this. A one sided report really doesn't explore the value of the current site and its role in the past in the development of Charlton Kings.

There are further points as made by many others too but the overwhelming principle is that this development is wholly inappropriate for this area of Cheltenham and I would urge the planners and the Council to reject it. Allowing a development of this scale on this vital area of land would reflect very poorly on those who were party to allowing it to pass simply as a profit making exercise.

Comments: 14th February 2018

This proposal is detrimental to the local area and it reflects poorly on both the developer and landowner.

The area is inappropriate for densely packed housing which does not match the urban grain of the area.

The local school (like other schools) needs open areas for the children to be safe and to thrive.

This area is regularly used by the local school for sports and wildlife education.

The local historical importance of this site has been neglected by the developer as has the significant wildlife present and the important corridor this provides.

This area should be preserved as open space and we object to the development being considered

Comments: 1st May 2018

The revised plans have been noted. It is still regrettable that the area will be adversely affected as multiple people have commented (299 objections at the time of writing).

Many have noted real concerns regarding vehicle access/congestion locally as well as the effects on the local infrastructure. There aren't enough school places to accommodate these additional homes and the school affected (St Edwards) will be severely adversely affected for the education of the children it tries to provide for.

There isn't satisfactory parking for all the cars on the development leading to cars parking on the road.

The developers have tried to maximise their profits but should as requested by the Council previously reduce the density further if they are really interested in the comments made by many others.

All told it remains an inappropriate development on this valuable land.

16 Sandford Mill Road
Cheltenham
Gloucestershire
GL53 7QS

Comments: 11th September 2017

I object to this application primarily because of fears on increase risk of flooding. My road was flooded in 2007 and suffered flash floods in 2016 after heavy rainfall which closed the road and came dangerously close to property. Building on our greenfields will only add to our problem.

I secondly object to this application on grounds of loss of natural habitat. This precious greenfield should be preserved for future generations and the protective species that live there

49 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 11th September 2017

I object to this proposal on the following grounds;

- Lack of access to the proposed site and the impact that the addition of the significant volume of traffic resultant from 100 new houses would have on surrounding roads which are already under strain.

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- There is no feasible way of getting from the site to local schools and amenities without using a car - the hill is too steep to walk. This will result in increased air and noise pollution and is totally against policies aimed at reducing the number of car journeys undertaken.
- The development appears to contradict local policies regarding the protection of green space and the environment.
- Loss of privacy due to new homes overlooking neighbouring properties and a kindergarten.
- Heightened risk of flooding in an already flood-prone area.
- The visual impact that the development would have on the AONB and local areas.
- The area is currently used to host sporting events involving children from schools across Cheltenham, removing this facility does not seem in keeping with encouraging health and wellbeing in our children. Previous governments and councils have been heavily criticised for selling off school playing fields over recent years, CBC should not support a development which promotes a return to that.

14 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 11th September 2017

I object to building on this site as it is an important green space used by school children for outdoor activities and countless other local people for their recreation. Secondly there would be loss of trees and wildlife through development. Thirdly, the loss of the field could lead to floods further down the Ewens Farm Estate which was badly affected by flooding in 2007. Fourthly there would be a serious problem with more traffic passing through the narrow streets of the Ewen's Farm Estate and funnelling on to the main roads at busy London Road or, worse, pulling out from side streets with difficulty at Hayles Road. 100 houses could encourage 200 or more cars plus visitors.

39 All Saints Road
Cheltenham
Gloucestershire
GL52 2EY

Comments: 11th September 2017

I object to the proposed development for many reasons. I do not believe the development is appropriate for the greenfield site at all. Access to the proposed site through Oakhurst Rise, a quiet residential cul-de-sac, or any of the other adjacent roads would be an unacceptable intrusion in terms of noise and traffic. There are serious concerns that the proposed drainage of sewage through the existing sewer in Charlton Court Road could overload a system that was not designed for this addition. The drainage of excess storm water is already insufficient and has caused flooding in 1981, in 2007 and 2016. In 1981 and 2016 local residents were necessitated to dig trenches in what is now St. Edward's school field in order to divert flood waters. This situation would be greatly exacerbated by any new dwellings. To divert the waters to the brook at the bottom of the school field would add to the waters which flooded houses in 2007.

Safety for cyclists in the area between London Road, Beaufort Road, Haywards Road and King Alfred's Way is already extremely dangerous, as cars use the roads as a short-cut between London Road and Hales Road in spite of the existing 20 mph limit in places. This is exacerbated

by the stretch which is 2-way for cyclists and 1-way for cars, where cars do not expect to meet cyclists coming the other way (and there is insufficient space to accommodate both a car and a cyclist). This situation will only be worsened by the addition of c. 100 dwellings in the area. I would question whether this in any way falls in with current national policy in terms of cycle provision.

18 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JT

Comments: 11th September 2017

I strongly object to this planning application for the following reasons:

1. Increase traffic of surrounding areas, compromised road safety
2. Unsuitable road access
3. Increase risk of flooding
4. Loss of green area
5. GP and schools already oversubscribed

Comments: 26th February 2018

I strongly object to the new updated planning application for the following reasons:

1. Increase traffic of surrounding areas, compromised road safety
2. Unsuitable road access
3. Increase risk of flooding
4. Loss of green area
5. GP and schools already oversubscribed

23 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RQ

Comments: 11th September 2017

I wish to object to the application 17/00710/OUT on the following grounds:

1. Flood Risk: Loss of natural soakaways through increased paved areas can only lead to more flooding throughout Ewens Farm & in particular in Haywards Road. The clay ground already gives rise to garden flooding in wet weather. Reference to the 100 years occurrence must be refuted by the extensive flooding into home and gardens in 2007, 2012, 2014.
2. Green Fields: The loss of established green field areas together with mature & essential trees which create a natural habitat to a variety of wild life would be detrimental. The accessibility of such areas for education & research are in decline in urban locations and should be preserved.
3. Traffic: As a resident of Haywards Rd I experience the heavy congestion around the estate each day as residents compete with traffic accessing the A40 and Hales Rd as a short cut. Neither of these major roads can accommodate the feed of traffic confirmed by the long queues at peak times. The narrow and convoluted roads of the estate many built in 1900 are not designed for heavy modern traffic and Oakhurst Rise cannot give access to a 100 new

houses. The resulting 100 - 300 additional cars would be untenable leading to increased pollution; endangering pedestrians, and restricting access to emergency services.

4. From the online documents I note a previous application in 2015 for housing in the area of the Tim Fry site was refused on grounds on traffic concerns.

On this basis, I ask the voting panel to refuse this application.

25 Hopwood Grove
Cheltenham
Gloucestershire
GL52 6BX

Comments: 12th September 2017

I wish to register my objection to the proposal for 100 homes in Battledown on the basis of, amongst other factors, increased flooding risk.

For the previous 17 years, I lived at 14 St Edwards Walk, Charlton Kings, so have witnessed first-hand existing flooding issues in the area.

42 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NT

Comments: 12th September 2017

I object to this proposed development as this area in a community recreation area that is an integral part of the community.

My son is an active member of a local running group and has just started at secondary school and plans to run cross county and I understand that St. Edwards field is a well used venue for this sport in Cheltenham. It would be a shame to lose this facility on this side of Cheltenham.

Ravenswood
Stanley Road
Cheltenham
Gloucestershire
GL52 6PB

Comments: 12th September 2017

Please see below the main objections we have regarding the building application 17/007/OUT which relates to the 100 plus houses to be built in Charlton Kings - Oakhurst Drive ?????

- 1) Traffic congestion - the roads around the development are already over crowded and are likely to get worse due to the Eden Villas Development on Harp Hill. All roads from the Battledown Estate are suffering from major delays particularly at the start and end of school days . Ewuens Farm is already hugely overused as a cut through Road and further traffic pressures from 100 homes will have major negative consequences and must raise concerns about safety
- 2) Infrastructure- Charlton Kings is already experiencing considerable pressures on key local facilities such as schools and doctors . The increase by 300-400 people will only compound this already unsatisfactory situation .

- 3) Flooding Risk - we would like to see an independent report into the implications for flooding risk from this proposed development. The very significant housing density proposed must significantly increase the potential for flooding .

29 Birdlip Road
Cheltenham
GL52 5AJ

Comments: 12th September 2017

I object to this proposal and do not wish to see yet another greenfield area destroyed for more housing. Current infrastructure is poorly set up to support such a proposal.

79 Rosehill Street
Cheltenham
Gloucestershire
GL52 6SQ

Comments: 12th September 2017

We strongly object to this potential development.

There would be a severe negative impact on traffic in an area that is already very busy and often dangerous for pedestrians and cyclists. This is a residential area and the current roads would not be able to accommodate the increased traffic this would bring.

Studies show there would be an increased risk of flooding in an area that is already at risk of flooding.

The loss of the greenfield space - meadows, hedgerows and protected trees. This would be detrimental to the local environment particularly putting several protected species at risk including bats and birds

Since the development is 0.7 a mile from Balcarras School, it guarantees a place for children at the school but in doing so, would unfairly deprive 100 families already living in the catchment, albeit at a greater distance from the school than the development (ie from 0.7 mile to 0.9 mile), of their own school places at Balcarras School.

The local amenities and infrastructure, current schools, services, doctors - simply cannot support the introduction of the additional dwellings, they are full to capacity and currently have no ability to expand.

To conclude - this site is not listed for development by the parish or borough councils and provides a valuable green field amenity for many local activities which would be lost if the development were to go ahead.

I would urge the planning committee to listen to the wishes of the local residents and not go ahead with this.

17 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 12th September 2017

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I object to this planning proposal on several grounds. Looking at the proposal for access to the proposed site.

I believe several of the arguments mislead and misrepresent the factual evidence of the site by omitting the key information that there is an unsuitable and challenging gradient to Oakhurst Rise which would mean it is unable to accommodate the volume and type of traffic proposed.

Furthermore this gradient not only of Oakhurst Rise but of the surrounding area makes an easy walk into town undesirable especially to the unfirm. Therefore, a reduction in through traffic due to location is unlikely. Additional access points would make the project more viable.

26 Churchill Drive
Charlton Kings
Cheltenham
GL52 6JJ

Comments: 15th September 2017

Re the plans for to build 100 houses at the back of St Edwards School, I wish to object to these plans.

As a resident of Churchill Drive, the roads in Ewans Farm estate cannot cope with any more traffic - there could potentially be another 200 cars coming and going each day. We already have to put up with a large amount of cars using the estate as a rat run from Hales Road to the London Road to avoid the traffic lights and do school runs. Oakhurst Rise is incredibly narrow and steep with cars parked in those roads also. It is a quiet little area and no through road so would be really awful for the residents to have constant traffic passing through - there would not be room for 2 way traffic particularly if building did start and construction vehicles were trying to get through. It is hard to believe that the entrance to the proposed site is even being considered here. It would have to be from the other side of the site either above or below St Edwards School. I am also strongly against any more green spaces in Charlton Kings being destroyed for ever with loss of precious trees and wildlife.

I do hope that common sense will prevail and consideration will be given to all the nearby residents who will be hugely affected, the fact that this land must remain a green field site and this application will be turned down.

4 The Orchards
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 18th September 2017

I am a previous resident of Oakhurst Rise and must stress that that little road is completely inappropriate as the entry to a development of 100 houses. I well remember struggling up the steep approach from Beaufort Road with a pram, - and I was a young fit woman. And in winter it was very scary coming down when it was icy. It is a completely unsuitable access point for say 150 more vehicles belonging to the proposed houses, never mind the heavy machinery for the building work. I urge the Planning Officers to walk up to the site, preferably carrying shopping - and then reject this application if no alternative access point can be identified.

Comments: 5th March 2018

Although the revised plans may afford better scope for trees, it does nothing to solve the basic problem with this site, i.e. the totally inadequate access through Oakhurst Rise, a small and very steep residential road. The number of houses has not been reduced and they seem quite squashed in, many on smaller plots than the semi-bungalows on Oakhurst Rise. The 100 houses would probably mean about 150 vehicles, and Oakhurst Rise and the Ewens Estate could not cope safely with such levels of traffic. Actually traffic generated by half the number of houses will still be unmanageable. I cannot imagine how heavy machinery required in the building process would negotiate the slope and sharp corners. As development of a brown field site in King Alfred Way was rejected because of traffic concerns, it would make no sense if permission were granted for this greenfield site with potential for traffic chaos. The application makes much of the availability of amenities within 800metres walking distance. It neglects to mention that the return trip would be uphill all the way, getting steeper the closer one gets to the site, so I don't think the majority would go to the shops on foot. I note the badger sett is to be relocated. Is that possible, or even legal? In any event, unless alternative access can be identified - and I consider that unlikely as the only other options are via the Battledown Estate or St Edward's School, both of which will be unacceptable - then this application has to be rejected.

9 Coronation Flats
Oak Avenue
Charlton Kings Cheltenham
Gloucestershire
GL52 6JF

Comments: 26th September 2017

I strongly object to the proposed development based on; the increased flood risk that I and other residents at the bottom of the hill will be subject to, the lack of adequate access points for the amount of extra traffic it will bring and the fact it was not passed on the portfolio of proposed development plans presented to the council.

24 Pentathlon Way
Cheltenham
Gloucestershire
GL50 4SE

Comments: 11th September 2017

I wish to object to the outline planning application for a number of reasons:

Firstly as a parent of a child that runs for Cheltenham Harriers and St Edwards Preparatory School this venue provides a unique opportunity for the children to experience a true cross country course, with hills and rough ground that the children rarely get to experience as distinct from the manicured parklands and flat playing fields that seem to form the majority of cross country courses these days. This is important not only for the health and fitness benefits it brings but is character building in bringing out a steely determination and competitiveness in our children that is sadly lacking in the rather cossetted, easy lives that we often allow our children to lead. With the ever increasing encroachment housing over outdoor activity areas in our schools we are contradicting the healthy living through exercise message that everyone believes is essential for our physical and mental well being.

The area in question is also a valuable resource for the school, used for forest school, the annual fireworks display that attracts over 5,000 people from the locality and of course exercise. Indeed the school is looking to extend its outdoor education program, that can the necessary consents will see a farm within the school grounds.

Surely there must be a better location for these houses that does not risk losing for ever this vital area of countryside within an already densely populated and congested area. I therefore urge the council to reject this proposal.

Lisvane
Oakley Road
Battledown
Cheltenham
GL52 6PA

Comments: 11th September 2017
Letter attached.

Prince Of Wales Stadium
Tommy Taylors Lane
Cheltenham
GL50 4RN

Comments: 11th September 2017
Letter attached.

8 Pine Close
Ewens Farm
Charlton Kings
Cheltenham

Comments: 11th September 2017
Letter attached

33 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017
Letter attached.

1 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017
Letter attached.

10 Southgate Drive
Cheltenham
Gloucestershire
GL53 7QR

Comments: 11th September 2017

Letter attached.

105A Charlton Lane
Cheltenham
GL53 9EE

Comments: 11th September 2017

I object to this Outline Planning application on the grounds of the severe traffic impact, the loss of facilities to the school and wider community and the danger of flooding to existing properties if this mature 10 acre site is destroyed.

44 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RH

Comments: 10th September 2017

I am writing with regard to planning application wish to object to the development of the houses in this location.

I think the the impact on surrounding houses from extra cars will be significant as London Rd traffic is already at a stand still on most days. There will be additional traffic on Haywards Rd which already effectively single lane in large parts due to parking.

18 Oakhurst Rise
Cheltenham
GL52 6JU

Comments: 11th September 2017

I object to this development for many reasons the main ones being:

There will be significantly more traffic joining the A40 and Hailes Road. Both of these access points are already heavily congested at busy times of the day.

This really could not be considered as a site accessible on foot for daily use as the access roads are far too steep for comfortable walking.

The site presently has a significant use as a cross-country course for Gloucestershire schools.

Faringdon
4 Langton Grove Road
Cheltenham
Gloucestershire
GL52 6JA

Comments: 11th September 2017

The reasons for my objection are as follows:-

1. The increased volume of traffic and its impact on the surrounding roads and the potential danger to other road users and pedestrians in the vicinity of Oakhurst Rise, Beaumont Road, Haywards Road, Hayles Road, London Road and Sixways. Increased volume of traffic will also impact on the availability of adequate parking.
2. The total unsuitability of the existing access to Oakhurst Rise.
3. The increased risk of flooding to the surrounding areas from surface water resulting from the loss of the green field site by the introduction of paved areas associated with new home development. The surrounding roads and properties were very badly affected by previous flooding in 2007 and 2012.
4. The loss of natural habitat for species such as badgers, bats, newts, slow worms, birds and doubtless others.
5. The loss of trees felled in the construction process.
6. It is significant that previous applications for development in the area with particular reference to the Tim Fry premises, and a proposed development for just 30 homes off Charlton Court Road homes were both rejected on grounds of traffic and flooding issues.

62 Sunrise Avenue
Cheltenham
GL52 8EW

Comments: 11th September 2017

We are due to exchange contracts on 11 Charlton Court Road GL52 6JB imminently and strongly object to the proposal.

We have flood risk reports and investigations which demonstrate that the current systems in the area are sufficient for current properties NOT for more to feed into which would significantly increase the risk of our property flooding.

It is also a quiet residential area with population and infrastructure suitable for the amenities, schools and road systems, the proposed development would put all of this at risk.

209 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DF

Comments: 5th November 2017

Inappropriately sized development for the area - inadequate access through a small residential road. Area of green space used as a local amenity - fireworks, local inter-school cross country races etc. Unnecessary destruction of green space when we should be protecting our environment not destroying it.

3 Smithwood Grove
Charlton Kings
Cheltenham
Gloucestershire
GL53 9JN

Comments: 10th September 2017

Infrastructure (schools, doctors etc) in Charlton Kings cannot support such a big development.

Access via Oakhurst Rise is inappropriate

Loss of green space which is a habitat for diverse wildlife should not be permitted

16 Murvagh Close
Cheltenham
Gloucestershire
GL53 7QY

Comments: 11th September 2017

I am writing to object to the outline planning for 100 houses proposed on the site of St Edwards Fields 17/00710/OUT for the following reasons:

- 1) Loss of local amenity - the land is currently used as a forest school and cross country running course for local children.
- 2) Loss of a beautiful open space and nature reserve including badgers, hedgehog, snakes, and wild deer.
- 3) An increase in traffic congestion in an area which is already very congested and secondly the limited access to the site.
- 4) The doctors and schools are already over subscribed in the area, there appears to be no extra provision or funding for this.
- 5) Flood risk is hugely increased without this soak away green space.
- 6) Loss of green space - once built upon it is lost forever.
- 7) Policy GE2 Private Green Space (June 2009). The development of private green spaces, open space and gardens which make a significant townscape and environmental contribution to the landscape will not be permitted.

Flat 3
42 Lansdown Crescent
Cheltenham
Gloucestershire
GL50 2NG

Comments: 11th September 2017

I object to the building work.

51 Sherborne Street
Cheltenham
Gloucestershire
GL52 2JY

Comments: 11th September 2017

I have been made aware of the objection to build up to 100 houses on a site in Charlton Kings.

A friend has asked me to support the objection campaign of the proposed site which I am more than happy to do so. I am actually a resident of Cheltenham but my 2 youngest children attend

school in this area and we also as a family attend HA Church in CK so although not an immediate resident I do support the CK residents views on this issue. We have walked in the proposed area and attended the amazing firework displays held there. I fully oppose to the plans for all items mentioned in their objections with regards to the harm it will do to the natural habitat for animals and protected trees and also for the local community.

There is also the worry of the change the environment could make to flood issues in town. Many of my friends properties were devastated back in 2007 and we all know how new housing projects can effect Cheltenham town. This green land is such a potential sad loss to everyone.

One area that hasn't been mentioned enough I feel is the strain on our already waining A&E provider in town. With all these new developments comes a mass of people, we do not have the facilities here to cope 24hrs anyway so why are the council letting even more people in, clogging up an already poor facility.

There have been a mass of Bloor and Bovis homes made near the race course on green fields, dread to think how many more areas these developers will take. I hope the powers that be will listen to the residents and friends and a better outcome is made.

17 Station Close
Cheltenham
Gloucestershire
GL53 0AB

Comments: 11th September 2017

With reference to the subject planning application I am writing to confirm my objection to the proposal.

12 Ewens Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JP

Comments: 11th September 2017

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

A key concern for us is the access to the site is via Ewens Road and Oakhurst Rise, the increased volume of traffic from the proposed development would overwhelm the existing infrastructure on the Ewens Farm Estate. All the roads feeding Oakhurst Rise are narrow and congested with on-street parking. Having lived on Ewens Road for almost 10 years we have raised concerns over the speed of the traffic in the area on numerous occasions. The road is currently in a 20mph and vehicles using the road as a short cut from Hales Road to the A40 are constantly going too fast up the road. With local families and dog walkers accessing the Queen Elizabeth Playing Field off Ewens Road there is already a high risk of accidents from the current traffic flow.

The other end of Ewens Road (at the junction where Churchill Drive meets King Alfred Way) is an accident hot spot due to the junction being placed on a corner where cars are often obstructing drivers' view.

Oakhurst Rise is a steep, quiet residential close accessed via a blind corner on Ewens Road and is often impassable in icy conditions during the winter months. The road is totally unsuitable as an

access point for 100 new houses, let alone all the construction traffic that would be required initially.

The recent planning application for new houses to be built in brownfield Tim Fry area was rejected, one of the main reasons for this was due to impact on the local traffic. Prior to this another proposal to build 30 homes off Charlton Court Road was also rejected due to unacceptable traffic and the risk of flooding.

This links to another key concern that the development would significantly increase the risk of flooding to neighbouring properties as 10 acres of currently permeable surface located at the top of the River Chelt catchment would be replaced by impermeable surfaces, resulting in large increase in the rain water running down the hills to houses below. As yet the developers have not shown a satisfactory solution to the problem of the increased run-off from the site.

There would also be increase pressure on local services, such as schools and doctors that are already over-subscribed. I recently had to make an appointment to see a doctor at the Sixways surgery and the earliest appointment possible was 19 days from the time I called. Thankfully I was in a position to be able to wait but it highlights this key issue of pressure already on local services for those of us living here already.

The proposed development will also be a big loss to St Edwards School who have been using this land as a cross country course for over 60 years. The houses will also overlook a kindergarden playground resulting in a loss of privacy & safety for the children (& surrounding properties).

I therefore wish to object to this planning application and I strongly urge the Council to refuse it, due to the unsuitability of the land which should be retained as a valued natural habitat.

5 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 11th September 2017

We would like to lodge our objection to the proposal of houses being built in the field above St Edwards Prep school with access from Oakhurst Rise. This development should not be allowed to proceed for a multitude of reasons.

29 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 11th September 2017

I am writing to OBJECT hugely to the plans to build 100 houses on land in Charlton Kings.

I OBJECT due to all all the reasons I have heard from fellow campaigners against the proposal.

37 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JN

Comments: 11th September 2017

I would like to register my objection to the above development above Oakhurst Rise.

The only access to the 100 proposed houses is up a steep, narrow, twisting residential road. This development will adversely effect everyone living on Ewens Farm, it is hard to imagine the chaos of the increased traffic having to get up and down this small road which is already treacherous in icy conditions.

The heavy plant needed to complete the building phase will be extremely disruptive, the traffic on Churchill Drive is already appalling, many people speed through using this as a cut through., it is highly likely that an accident will occur.

The much needed green area that will be destroyed forever is an important buffer between heavily housed areas.

if this plan is approved you would have to ask why planners would approve this, it is so obviously the wrong development in the wrong place.

35 St Georges Road
Cheltenham
Gloucestershire
GL50 3du

Comments: 14th May 2018

The application as it currently stands is unacceptable.

It affects the setting of Charlton Manor, a grade 2 listed building. CBC are obliged in law (sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building, its setting and any features of special architectural interest which it possesses (which in this instance include the linkage between the house and the Victorian ice house which served both Charlton Manor and Ashley Manor).

Pursuing sustainable development involves seeking positive improvements in the quality of the historic environment (NPPF paragraph 9). Planning should always seek to secure high quality design and should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations (NPPF paragraph 17).

The current proposal causes Charlton Manor significant harm in a number of ways:

- it fundamentally changes the setting of the property
- given Charlton Manor sits below the proposed housing estate, the new houses will overlook the manor house to an unacceptable degree, including direct line of sight into the main bathroom of the house
- the gardens of Charlton Manor have been restored to their original Victorian layout. The loss of light to the property from the proposed development layout would significantly affect the garden and its viability
- Charlton Manor is a spring fed property and has been since it was built in 1864. Today, the springs supply the water to the garden and the pool as part of the drive to make the property sustainable despite its size. The proposed development will alter the hydrology of the whole of the Leasowe, with unquantified impacts on the springs and the water source of the property.

- Charlton Manor was granted permission to put solar panels on the listed Victorian stable block to the rear of the property (mistakenly characterised as 'modern outbuildings' in the developers' heritage statement) - and was explicitly denied permission for solar panels elsewhere on the main building. The proposed tree planting would adversely affect the solar provision to the property; the exact opposite of sustainable development.
- a 3m hedge is proposed on the boundary of Charlton Manor; the nature of hill sloping upwards from the boundary means that this height of hedge (if legal) would deny the ground floor of the property its source of natural light, from c2pm in winter months and c6pm in summer months.

Heritage assets are subject to specific policies that require (paragraphs 132 and 139):

- great weight to be given to their conservation in all decisions;
- clear and convincing justification for any harm to significance however slight and whether through direct physical impact or by change to the setting;
- that substantial harm (direct or by change in the setting) to or total loss of grade 2 listed buildings is expected to be 'exceptional'

Not only has the application failed to make a case for harm to a heritage asset, it substantially underestimates the impact of this proposed development of Charlton Manor, the first house to be built on the Battledown estate.

I echo the heritage officer's objection to this proposal.

Ash Tree House
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 8th September 2017

I strongly object to this planning application.

We are the owners of Ash Tree House which is located very close to the northern boundary of the proposed development site.

We have read the objections posted on the web site and wholeheartedly agree with all of the numerous comments made to date regarding the flood risk, traffic / access implications, increased pressure on already stretched local resources, and irreversible damage to the wildlife, trees, hedgerows and meadow.

With regards to the above concerns it is respectfully requested that planning permission for the above development be refused.

Comments: 3rd March 2018

Having received the Council's letter dated 9 February 2018 and reviewed the revised/additional information. I can confirm that my previous objection and reasons for such objection to this planning application remain.

Therefore, I would like to reiterate my strong opposition and it is respectfully requested that planning permission for the above development be refused.

Comments: 13th May 2018

Page 290

Thank you for your letter of 30 April 2018 confirming the further revisions to the above application. I have reviewed the new documents on-line and I [still] strongly object to this revised planning application for 91 dwellings.

The nominal reduction to 91 dwellings and increased 'affordable housing' provisions do not make any material difference. The planned scale of development is completely inappropriate for this site. Access is restrictive, with a steep aspect to the approach and tight roads that are not well suited for such a development. The site is very close to the AONB and is an extremely precious resource for the school, local community and wildlife.

More specifically, the documents presented by TKC with regard to the TPO's and RPA's are based on guidance of BS5837 (4.6.1) whereby the maximum of 15m radius from the tree stem is being used. In fact, the Natural England and the Forestry Commission published in January 2018 which recommends that "for veteran trees a buffer zone of at least 15 times larger than the stem diameter or 5m beyond the crown edge if that is greater" should be used.

In addition, the councils own Tree Officer stated on 8 Mar 2018;

"Veteran trees have not been classified as per BS5837 (2012) recommendation where veteran trees should have an automatic A3 classification. Similarly, their Root Protection Areas do not conform to the Woodland Trust and Ancient Tree Forum recommended areas equivalent to an area described as a circle of 15 (as opposed to 12 in BS5837 (2012)) times the diameter of a tree or 5 metres from the edge of the canopy. Indeed, such recommendation of no hard surfacing within BS 5837 (2012) para 7.4 recommends that no construction occurs within an RPA."

This has a significant impact on the planned development in the proximity of T3 & T8 on the Northern boundary.

The amended application does not address any of my previous objections, and hence all my previous objections still stand. Therefore, with regards to the above concerns it is respectfully requested that planning permission for the above development be refused.

16 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RH

Comments: 4th May 2018

While i appreciate the need for more housing in the area, this development is completely inappropriate for the site. Access is restrictive, hilly aspect to the approach and tight roads are not well suited for these new 91 properties. More importantly, the site is very close to the AONB and is an extremely precious resource for wildlife.

I am a Charlton Kings resident, and will not be directly affected by the development in a sense that I live a distance away. But I have felt strongly enough about this to express my strong resistance to this.

I hope the council will reject this development in favour of a more appropriate setting for much needed housing.

Coversdown
Birchley Road
Cheltenham
Gloucestershire

GL526NY

Comments: 6th September 2017

As a resident of Battledown my house, Coversdown, joins the northern boundary of the proposed development. I strongly object to this application. Not only is it in breach of national and local planning policy, which should be promoting healthy communities, it would mean the loss of valued open space which is used as a recreational area. It is of great value to those who live in this community. It threatens an area of beautiful green space.

My list of objections are as below:

1. Charlton Kings Parish Plan published April 2017

This plan was published by the parish council to provide guidance for the next 5 - 10 years. It was produced by a public questionnaire and parish meetings. Page 8 states "a clear consensus emerged that development on open land and green spaces should not be allowed.". Page 9 states "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land;"

Therefore this development is contrary to the conclusions drawn by the Parish Council and the residents of Charlton Kings.

Neil Parish M.P., the chairman of the environment select committee, recently told ministers that a drive to build a million more homes by the end of the decade risks "killing any sense of goodwill" in local communities if the new buildings are inappropriate. Mr Parish, a former council planning officer, will suggest that parish councils and neighbourhood forums are given funding to draw up binding "design codes" based on input from residents to ensure new developments reflect their views. "If we fill our towns and cities with housing people feel is totally inappropriate for their area, we will kill any sense of goodwill."

It would appear that the proposed development is exactly one such development that Mr Parish is referring to.

2. Right to Privacy

The conclusions of the developers report state that following the process of consultation, the application has been changed in a number of "significant ways". I strongly dispute this statement. At best, there has been some minor changes, but fundamentally the proposed development still has 100 houses, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities.

The report states that the density of the houses was reduced on the boundaries that border Battledown. This is certainly not the case with the northern border of the proposed development. The plan shows double storey and 2½ story houses right on our boundary. In addition, the 2½ storey houses/flats will be on a higher elevation than our house and will therefore look directly down into 4 of our bedrooms, let alone our drawing room and conservatory. This is a gross infringement on rights to privacy.

The Landscape and Visual Aspect Report, makes general mention of the impact the development will have on residents of Birchley Road, though it specifically avoids any mention of the most impacted properties such as Coversdown, Meadow View and Charlton Manor. This is a major oversight in the analysis, creating a clearly biased document.

In addition, as these houses are directly south of our house they will most definitely block light and direct sunlight into our property. In winter, we would not see any sunlight whatsoever.

We purchased in Battledown specifically because of its privacy and quietness. This proposed development will totally undermine our right to privacy and quiet enjoyment.

3. TPO Trees and Hedgerows

On our boundary with the proposed development, there is a magnificent specimen of an oak tree, which I have been led to believe is over 350 years old. There are also a number of other mature trees. At present the St Edwards school are responsible for ensuring that this tree is well maintained and dead branches are removed by their tree surgeon. This is necessary as the tree is south west of our house and the prevailing winds and storms would otherwise place our house at direct risk during storms. Who is going to be responsible for the well-being of this tree and thus ensure our house remains out of danger should this development take place? The developers have already shown scant regard for us neighbours in that they accessed the currently site illegally over our properties. They also showed no regard to the TPO tree and hedgerow they removed. To date we are not aware whether this breach of the law has led to prosecution.

Secondly, I believe that the proposed houses would be built far too close to the root system of this magnificent tree. The consequences of this would most likely lead to the tree's demise. This would then place the foundations of our house and our neighbour in 29 Oakhurst Rise in danger to subsidence and cracking of the foundations. In addition, any houses built within its vicinity would also be subject to these issues.

The developer already plans to destroy several protected trees including 400 year old oaks. The developer also plans to destroy 2 ancient protected hedgerows (seen on a map from 1825) that are BAP priority habitat and protected by law. The site has a large number of veteran trees. These need aging as some may be ancient. Many of these trees should be protected and there have been frequent requests that this is done as a matter of urgency. I believe that developer acted against the guidelines of the 1997 legislation on hedgerows when a large section close to my house was destroyed without the correct permission in the spring.

I feel that the developers survey into the biodiversity of the site is highly inaccurate and should be discarded and not relied upon. As our house overlooks part of the field we witness all the various wildlife that many other residents have already listed.

Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." So does the proposed development site meet the requirements of significant townscape and environmental contribution? It clearly has a unique environmental impact with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. It is a unique site that it is surrounded by buildings on all 4 sides, it is visible from the AONB areas. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend that any normal person would agree the proposed development site meets this criteria - hence the application should be immediately rejected.

4. Density

According to the Battledown Estate site <http://www.battledown.co.uk/covenant.asp>, in the Deed of Covenants and Regulations , number 5 states "No person is to build on the Original Lots of Estate land more houses than in proportion of one house to each half acre of land". This Estate is adjacent to the proposed site and its density of the site is 23.3 units per hectare which equates to 4.71 units per half acre of land. This is considerably more than the allowed adjacent density of 1 unit per half acre of land. As such we believe that the proposed development is not in keeping with the developments that surround the site.

The Consultants compare their development to the Ewens farm development. I believe this proposed development is of a higher density than Ewens Farm. In any event, I believe that this is an incorrect comparison as the immediate neighbours are Battledown and the Oakhurst Rise area bungalows which have a far lesser density than that proposed by the developers.

5. Increase Flood risk.

Historically there have always been significant issues with surface run off and groundwater flooding around the site. The consultant makes no mention of this in the report. The clay sub soil is impermeable. The top soil in this critical elevated site on the watershed holds water like a sponge all winter protecting the catchment of the River Chet from flash flooding. Covering large swathes of this 10 acre site in impermeable material will have a huge impact on the drainage system. I believe a full and proper impact study needs to be done investigating the impact of the scheme on the Chelt through Cox's Meadow onto Bath Road and Neptune's fountain. Some proper flood modelling is called for. Even with all the modelling done for the Cox's meadow flood barrier, the first time this barrier was put to the test, it failed, with large scale flooding of properties down-stream from the barrier.

The Flood Risk Analysis from the developer's consultant does not address the issue of technological solutions to the problems at all satisfactorily, in fact they admit that SUDS will not work. The only remedial measures they suggest are retention tanks that are obviously not large enough, a tiny pond and water butts.

I am not at all satisfied that routing all foul and rain water under Charlton Court Road will be an adequate solution at all. The ageing lower sections of the sewage system are already vulnerable to blockages and collapses according to a helpful local expert on drainage.

The consultant does not seem to recognise that there is any existing flood risk, I believe residents will tell a different story from their personal experiences.

In addition, the flood zone map created 26 March 2008 shows on page 4 a preponderance of incidents of "Recorded Flooding" in both the categories of "Artificial Drainage" and "Unknown" following the line of Oak Avenue. Anyone who has dug their garden or who remembers the old brick works will know this is an area of clay soil, which is always damp.

This is further borne out in the fact that we already have a continual spring, that starts in the field and runs through part of our property, nearly all year round. If the spring runs at present with all the natural protection that the field currently affords it, what is going to happen once this water has nowhere to go due to the impermeable surfaces that will cover the proposed site.

6. Access to site

Oakhurst Rise is a small, narrow and steep cul-de-sac. Many residents park on the road as the driveways are so steep and narrow with often dangerous drop offs due to the gradient. The gradient is 1 in 5 at the top and narrowness of the road make sole 2-way access to 100 houses from this site totally inadequate.

In snow and icy weather the road is immediately cut off as residents prioritise the grit for the lower part of the Rise and the busy and dangerous bend and slope near Pine Close. I wonder where snow bound cars will park on congested Beaufort and Ewen's Road. How will emergency vehicles access the development in snow? The Rise is accessed via the very narrow and congested streets of Ewen's Farm; one of the worst streets being Oak Avenue. Blind bends already make these roads that are occasionally 2-way in sections dangerous.

7. Change to Cheltenham skyline

The site is a very visible green part of the visual landscape. It adjoins Battledown, which is one of the highest points in Cheltenham. As the 2½ storey building and 2 storey house are going to be built on the crest of the development the skyline of Cheltenham will forever be blighted. Particularly from Leckhampton Hill, the A435 and the popular Cotswold Way at Lineover Wood where the path emerges from the trees. There is no dense housing at this elevation at present and the new estate will have a very significant impact on visual amenity. It will be a scar on the tree dense and greenfield nature of the landscape at this height on the hill line as currently afforded by the

properties on Battledown. This will further erode the character of Cheltenham as a scenic spa town.

8. Loss of a community recreation area

The field is used by the wider community and it is a well-regarded venue for county cross-country competitions hosted by the school, as well as being a huge draw on bonfire night when the school PTA run their fund-raiser. Children from the school benefit from the access to the field to get closer to nature, such as the popular "welly walks" from the pre-school section.

9. Damage to biodiversity.

The developers' environmental consultant claims that the majority of the site is "poor semi improved grassland" which is "regularly mown". They claim it is "short grassland" that is of "low conservation significance". I completely contest this. The developers study was done at an inappropriate time of year. I believe that other expert opinion has been obtained who believes that the site is actually species rich grassland which requires a detailed grass species survey, ideally done May-July. I understand the developers' nature survey was done in early September 2016 soon after the farmer had cut the grass down and driven over it with a tractor. Like most wildflower meadows throughout history the grass is cut once a year, contrary to the developers' claims this does not constitute regular mowing or cultivation. I must insist that a proper survey is done to establish the true status of the meadow.

In Ash Tree house, which was owned by my father in law until 2016, there were numerous newts in the pond in his garden. We must insist that a full torchlight survey and EDNA survey of all ponds within 500 m of the site takes place, the developer has missed 2 of the ponds on the school site and I understand that there are other garden ponds that have not been surveyed.

10. County Archaeologist

I observe that the County Archaeologist states "the wider locality is known to contain extensive archaeological remains relating to settlement and activity of the prehistoric and Roman periods. I therefore have a concern that significant archaeological remains may be present within the application site, and that these may be adversely affected by construction ground works required for this scheme" In addition he goes on to give reasons why the survey done by the developers is totally inadequate.

11. Amenities in the area

Already the amenities in the form of schools, hospital places and Sixways surgery are under extreme pressure. It is fairly common for current residents to have to wait 3 weeks to see a GP. This proposed development will further exacerbate the problem. Simple financial contributions/penalties as appear to be the norm when these issues arise in other planning applications (eg Tim Fry brown field development) will not solve the problem of residents being able to see a GP or getting places in schools.

In conclusion, whilst the developers supporting documents appear to be comprehensive and all encompassing, they are far from this. They are at best extremely biased and at worst lacking in substance for a development of this scale which has far reaching implications not only to the residents of the immediate vicinity of the development but also to the greater community of Cheltenham.

We therefore implore the council to reject these plans outright.

Comments: 12th September 2017

In addition to my early submission I would like to point out that when reading the Cheltenham Borough Local Plan Second Review Adopted July 2006, it would appear that this application falls foul of the following objectives as set out in the above document. :-

General

O3 to protect public safety and amenity

O6 to create more sustainable patterns of development, with priority use of previously-developed land

O7 to make best use of development land

O8 to meet the needs of the elderly and people with disabilities

Environment

O9 to conserve and enhance the setting of Cheltenham

O10 to conserve the natural beauty of the Cotswold Hills

O11 to conserve and improve Cheltenham's architectural, townscape and historical heritage

O12 to conserve and improve Cheltenham's landscape character and green environment

O13 to safeguard the countryside from encroachment and inappropriate development

O16 to protect and improve the quality of land, air and water

O18 to maintain and encourage biodiversity

Housing

O23 to secure a high standard of residential amenity

Utilities infrastructure

O30 to reduce the risk of flooding and flood damage

O31 to make adequate provision in development for the satisfactory supply and treatment of water

Transport

O32 to promote sustainable transport

O33 to safeguard the potential for the future provision of transport infrastructure

O34 to ensure infrastructure in development is provided to a satisfactory standard

O35 to safeguard or improve personal safety in the transport system

O36 to contribute to road traffic reduction and improve traffic flow

It would therefore appear that this application fails in so many of the prescribed principles as laid out in the Local Plan.

Comments: 7th March 2018

The additional materials do not resolve any of the issues recorded by many of our objections as well as the other well informed objections submitted to date. Therefore, with regards to these and my own previous concerns it is respectfully requested that planning permission for the above development be refused.

In particular the fact that the "flats & house" in lots 3,4&5, shall look directly into our bedrooms, has not been addressed.

In addition to all of previous comments made - which have not been addressed i wish to add the following

1. Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." This site is part of the critical green space that goes to form Cheltenham, and it is a wonderful undeveloped area that has been utilised by the local school(s) and wider community for decades.

2. The Oak Tree T17, is right on my border and will fall inside plots 1 & 2 and will impact on plots 3&4. The law states that any building should be 5 m from the "canopy of this Oak tree". I do not believe the drawings are accurate and hence I believe the buildings on these plots will be inside the protected area.

3. In the summer the sun is to the North of this Oak tree, which means these houses will be in permanent shade all summer.

4. Our home is in the direct path of the oak tree and the prevailing wind. In the past St Edwards School have ensured that this tree is properly cared for and that the risk to our house is

minimised. In particular the North facing side of the tree has been severely pruned to try and ensure that should the tree fall down it will fall into the field. Should this happen, this will destroy the properties in Plot 1 & 2 and also block the whole of the access to this development! I have major concerns that the up-keep of the oak will not take place by any new owner, as it shall be in their interest, due to the reason listed above, to allow it to deteriorate so that it can ultimately be removed.

A proper impact study has to be made with regards to T17 needs to be made and the houses in plots 1,2,3&4 in the plan removed.

5. It appears to be totally unreasonable to locate flats on lots 3&4, as these will be out of keeping with the surrounding houses on Battledown.

I close by stating that all these new submissions appear to have done is tinker with there original submission and have in NO WAY addressed the issues raised by all those objecting to the planned development. They have failed to supply the information requested by a number of the Agencies involved in this application.

Comments: 14th May 2018

Your letter dated 30th April 2018 refers.

This amended plans do not address any on my previous objections and hence all my previous objections still stand. In particular as pertains to the houses on the North boundary that are in proximity of T3 & T8.

In addition to these points, I have now received a copy of a report by Barton Hyett Arboricultural Consultants (BH), in response to the report of the developers consultants (TKC). This report highlights many shortcoming of the TKC report.

The documents presented by TKC with regard to the TPO's and RPA's are based on guidance of BS5837 (4.6.1) whereby the maximum of 15m radius from the tree stem is being used. In fact the Natural England and the Forestry Commission published in January 2018 that recommends that "for veteran trees a buffer zone of at least 15 times larger than the steam diameter or 5m beyond the crown edge if that is greater" should be used.

In addition the councils own Tree Officer stated on 8 Mar 2018

"Veteran trees have not been classified as per BS5837 (2012) recommendation where veteran trees should have an automatic A3 classification. Similarly their Root Protection Areas do not conform to the Woodland Trust and Ancient Tree Forum recommended areas equivalent to an area described as a circle of 15 (as opposed to 12 in BS5837 (2012)) times the diameter of a tree or 5 metres from the edge of the canopy. Indeed such recommendation of no hard surfacing within BS 5837 (2012) para 7.4 recommends that no construction occurs within a RPA."

This has a significant impact on the developments in the proximity of T3 & T8 to mention just a few [drawing attached].

It is further noted that the diameters for T3 & T8 as stated by TKC are merely "estimates". The actual diameters should be measured accurately. Using the diameter of "T3" as 1500mm (which is only an estimate and could well be larger than this), then the RPA from the tree that should be excluded from development should be a radius of 22,5m. This then means that the buildings on Property 1,2 & 3 fall within this excluded area of the radius of 22.5m of the Oak Tree T3. If in fact the diameter is 1700mm then this exclusion radius should be increased to 25,5m.

In addition "T8" is estimated by TKC as 1500mm and yet it has been measured by Barton Hyett Arboricultural Consultants as 1700mm. This means that the RPA that should be excluded from

development should be set at a radius of 25,5m. As a result, the properties 4,5, & 34-37 all fall within the exclusion radius.

There are numerous other instances of inaccuracies in the TKC report.

In addition to the above, we object strongly to the fact that TKC recommend that a number of the "Veteran Trees" have been demarcated to have their crowns reduced in size by 5m in height and diameter. These tree are hundreds of years old and should not be subject to the risk of being endangered in the name of housing. It is the housing that is encroaching on the trees, not the other way around.

In nothing else the recent winter serves to highlight the fact that the proposed access to this site is totally unsuitable to serve this development with its possible 180 cars.

I also fully endorse the various objections from

- Natural England
- Friends of Charlton Kings
- The Woodland Trust
- The Charlton Kings Parish Council

60 Bouncers Lane
Cheltenham
Gloucestershire
GL52 5JN

Comments: 11th September 2017
objections:

The Carmelite brothers who are selling the land owe a duty of care to the students who use the land and should be ashamed of themselves wanting to profit by the sale.

The detrimental affect it will have on traffic, the beauty of St Edwards school, the wildlife as well as safety of the children who attend the school also is reason alone to object.

The unsightly new homes will bring sewage, waste, rubbish, and damage roads as well as St Edwards as a school as parents will choose to remove their children from the school.

Chalfont House
61 The Park
Cheltenham
Gloucestershire
GL50 2SA

Comments: 12th September 2017

This site is used extensively by the local and wider community, in particular by local and county schools. The detrimental impact on the environment is obvious. Charlton Kings, once a rural area, is now already overdeveloped and congested. This irresponsible planning application does not serve any positive purpose other than to increase corporate profits for a few at the expense of local infrastructure and communities.

70 Little Herberts Road
Charlton Kings
Cheltenham

Gloucestershire
GL53 8LN

Comments: 1st November 2017

I would like to object to this proposed development primarily because of the poor road access to the site. That number of houses would generate an excessive amount of traffic all being funneled down onto an already busy couple of roads which are often subject to traffic issues at peak times. Also the area is currently important for wildlife and for community events - there are few green areas left in that vicinity that could be used for such purposes.

35 Linwell Close
Cheltenham
GL50 4SD

Comments: 12th September 2017

I object to the planning application for 100 houses to be erected on the fields of St Edwards Prep school, Cheltenham. This is a vital piece of land to the school for its educational purposes, the children at the school very much enjoy their outdoor learning in the top field.

The traffic will be significantly increased in Charlton Kings, its bad enough as it is.

St Edwards hold their annual Bonfire night which is a very enjoyable night which is attended by thousands of families in and around Cheltenham.

The wildlife that live up in the top fields will lose their homes.

9, Twyver Place
Brockworth
GL3 4AN

Comments: 12th September 2017

I am in objection to the current planning application 17/00710/OUT. My objection is that it would prevent a major annual cross-country event being held on the school site and this would hugely disadvantage hundreds of children in the district. All the state and independent schools in the Cheltenham district enter this event and therefore its effects will be felt far and wide. We should be promoting sport to our young people and finding more places for them to be involved in sport not stifling the very venues that exist already.

St. Anthony
Battledown Approach
Cheltenham
GL52 6QZ

Comments: 12th September 2017

We would like to express our concern at the proposals to build houses on Oakhurst Rise, Charlton Kings. As residents of Battledown Approach, we would not be directly affected.

However, we regularly walk and cycle in the Ewens Farm and London Road areas, and see at first hand the current traffic problems at certain times of day.

Our main concern is based on the likely serious increase in traffic in the local area.

The local road network is just not suitable for the extra burden that would be put on it. As we understand the planning application, no new access roads are planned.

We are also very concerned about the loss of green field space in this particular location. After heavy rain, our own road, Battledown Approach, has a huge volume of water running off from the top of the hill. It is difficult to understand how the concreting and paving over of the proposed area on a hill will have anything other than very negative consequences.

On these two issues alone it is difficult to believe that this planning application has been responsibly thought through. We urge you to reject this application.

35 Croft Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LD

Comments: 12th September 2017

Our schools are full, infant, junior let alone Balcarras. I object to further houses being built at the back of St Edwards school

43 Hatherley Road
Cheltenham
GL51 6EB

Comments: 12th September 2017

To whom it may concern:

I wish to express my objection with regards to the above application for new houses in Charlton Kings. I grew up in Charlton Kings, moved overseas & recently returned. I knew Charlton Kings when it was a village, now I don't know where it begins & ends. To put anymore houses in you would start to loose the community aspect of the village. Initially I was located in Charlton Kings on my return but have since moved into Cheltenham, although my parents still live there & I take my children to school in Charlton Kings. I have to negotiate the traffic on the London Road several times a day, with what is supposed to be a 25 minute round trip taking an hour somedays. There is no way that the London Road can cope with another 100 cars on the road & definitely not the 270 suggested by the government (2.7 cars per household x 100 new homes).

- The exit from Greenhills Road onto the London Road is one of the most time consuming junctions.
- Loss of usage for the community for the site highlighted - cross country (we are to encourage to keep the kids active but if you keep gobbling up the green land the kids will not have anywhere to go). Community events, such as the annual fireworks - people walk from the village, bringing people together. I, myself bumped into an old friend at one such event after I return from my overseas stint.
- Protection of green space & environment
- Protection of wildlife - deers roam around on this area. There is a badger set there.
- Protection of ancient building - ice house is located within this field
- Overburdening of already pressured services - schools (oversubscribed). GP surgery (can not get an appointment for 3-4 weeks)

For this housing to even be considered is ridiculous. Such a build would only have a negative impact on a village such as Charlton Kings. Stop being so greedy and keep villages as villages and not small towns.

Runsell House

Ashley Road
Cheltenham
GL52 6QE

Comments: 12th September 2017

I am writing to appose the building of 100 houses on the St Edwards school field. Although I admit we need more housing the field has for many years been one of the main sites for cross country running for children in the area. Take the facilities away and the next generation of would be sports people have gone.

Also I object to the number of houses planned with a very poor access for the estate, with about 1-200 cars needing access to London Road it is ridiculous to expect them to all go down one small road which was only built to serve a small area of residents.

The other main concern is the destruction of the wildlife area and trees . It is a lovely field, used for many things including the annual bonfire night celebration to which hundreds of locals have attended for many years and collect thousands of pounds for charity. Surly these reasons are stronger than building 100 houses and destroying so much of what the locals hold so dear.

Cherry Tree House
Fossebridge
GL54 3JW

Comments: 12th September 2017

We are writing to express our sincerest objection to 17/00710/OUT. As parents of 3 children who attend St. Edward's Preparatory School, we strongly object to the proposal for 100 homes to be built adjacent to the Preparatory School. This building project as currently scoped would materially change the outdoor (learning and sport) experience of our children.

Additionally, the loss of this land would end an annual event that is enjoyed by thousands of people each November - that of the annual St Edward's charity bonfire night. In our years at the school, it's clear that this family event is much anticipated. Further, it has generated tens of thousands of pounds for local charities. This annual event is one of the key memories of each school year that our children will take with them when we move back to the U.S.

As importantly, the traffic and congestion during school run hours in Charlton Kings already presents huge challenges and delays. It rivals some of the more congested cities we have lived in. The addition of this many homes, people and vehicles will negatively impact residents' ability to navigate comfortably and predictably.

Thank you for your time and consideration on this matter.

7 Bafford Lane
Cheltenham
Gloucestershire
GL53 8DN

Comments: 12th September 2017

I am totally against the planning of the above reference for various reasons.

Firstly the approach roads to the site are totally inadequate, 100 new properties would create vast amounts of extra traffic through Ewens Farm. I have family living on the estate so know how busy it is already.

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Secondly the approach to the site on Oakhurst Rise was never built to accommodate any further dwellings. There are several older residents on the road and the additional traffic would cause untold stress to them and all the other residents. The properties were purposely purchased because it was a no through road....and that is how it should be left.

Thirdly the wildlife in the area deserve to remain in their natural habitat.

Fourthly where would to excess rainwater land up if the natural drainage is removed/built on? Straight into the properties in Oakhurst Rise.

Please give the existing residents of the area a right to remain in the unspoilt area and refuse planning.

31 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RQ

Comments: 8th September 2017

I am objecting to the outline application to build 100 homes. I live on Haywards Road, so my biggest concern is the elevated traffic and infrastructure throughout Ewens Farm, London Road, Hales Road and Haywards Road. This will have a serious impact on my quality of life and those of my children, particularly on the walk to school in the morning via Ewens Farm, an already dangerous cut-through to London Rd.

I am concerned at the loss of habitat of mature hedgerows and trees which are vital for wildlife, and essential in the flood risk management plan for the area.

Finally, I am concerned at the loss of a the local cross country course, an important local sporting amenity that my family and 1000's of other children use regularly.

It feels that the only people who will win in this application are the developers. The housing proposed is not for your average family, or indeed any on low incomes or needing affordable social housing. There are other sites, with better access, more suitable to a development of this scale.

29 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017

I object to this proposal because my family and I will lose the amenity value that we currently enjoy in our property. We decided to move to the area because it is on a quiet cul de sac with few very little traffic. The proposal would utterly transform the street and the road is too steep and narrow to cope. The noise of vehicles reversing will be a particular nuisance.

Whitewalls
30 Charlton Close
Cheltenham

Gloucestershire
GL53 8DJ

Comments: 10th September 2017

As a now former resident of Battledown I would like to most strongly object to this application on the grounds of loss of loss of Green Space in accordance with the council's own policy GE2

Cheltenham Borough Council's vision for green spaces is:

"Working together to ensure a comprehensive network of attractive, well used and valued locally distinct green spaces, that are accessible, safe and welcoming, which meet the existing and future needs of the community, improves / enhances biodiversity and are managed sustainably to reduce climate change impact." "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted."

I have read with interest the numerous comments regarding the significant detrimental impact on the townscape which are all too evident, and more eloquently put than I could manage however I would like to add comments as to why this must not be permitted on community grounds.

As someone who has been involved with and now chair of St Edward's Prep school PTA for 8 years I can state that the loss of this land would put a stop to an annual event enjoyed by thousands of people each November - that of the annual St Edward's charity bonfire night. In the eight years of my involvement this event has been enjoyed by some 34,000 people and is unique in community folklore in that it is almost exclusively enjoyed by the FAMILIES that live in the village. There are no car parks, everyone walks and is a family event that has generated tens of thousands of pounds for local charities. It is unique in it's non commercialised nature and has been running for 25 years. The loss of the top field would render the event untenable and cause a great loss of amenity to the community.

This may only be an annual event, but it is the kind of thing that makes this town, it's community and indeed this country unique and special.

On a wholly personal note, I would also like to express grave concerns regarding the tenability of this site for large scale housing on infrastructure grounds. Although we have now moved from Battledown, we were on the waiting list for the six ways doctors surgery for SIX YEARS and didn't gain a place, and whilst firmly in the catchment area neither my elder two children were able to gain a place at Balcarras, and neither of the younger two able to get a place at either Charlton Kings junior or infant schools. Given the horrendous slope of the proposed entrance to this site, one can only assume that the houses would be saleable to younger / family age groups (Not elderly for obvious reasons) and so it begs the question where are they going to be medically treated or educated.

This scheme is greatly detrimental to the unique nature of Charlton Kings, the landscape of beautiful Cheltenham and greatly negative to the community and it's events and I strongly object.

Garlands
34 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HG

Comments: 10th September 2017

Quite apart from the adverse traffic impact, this scheme would have an unbelievably adverse affect on the cluster of green spaces in this neighbourhood which connect up to the AONB.

In order to support good biodiversity green spaces must link together. These meadows, hedgerows and trees support many species whose range is extended by back gardens leading to the Ryeworth allotments and on to the AONB.

Back gardens are often good habitats, but must be supported by larger areas of greenspace in order to work well.

Building on this valuable area would, as well as causing the direct loss of many protected species, in itself inexcusable, also indirectly lead to a reduction in the biodiversity of the area.

Apart from these important biodiversity issues, people also benefit from neighbouring green spaces. Dense housing needs breathing space and cramming 100 houses in to these meadows would take away all the benefits the houses presently enjoy.

46 School Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BD

Comments: 11th September 2017

I object to the application to build houses on the land off Oakhurst Drive, Charlton Kings - ref 17/00710/OUT as follows:

1. Responsibility to retain green spaces and protect wildlife, ancient trees and hedgerows

We have a responsibility to future generations to preserve areas that add to our local environment.

The national planning policy framework states that "the purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations".

This piece of land is next to a school. What does it teach children about caring for our natural environment if we build over an area where they have learnt that birds, bats, badgers and other wildlife live? There are ancient trees and hedgerows full of wildlife. The children at St Edward's School are fortunate to be able to use their wonderful grounds every day. From Kindergarten onwards, they learn about nature and how it changes across the seasons. They see deer, foxes, and other creatures in the grounds and they learn to respect nature and live alongside it. Building over this site, shows children that money matters more.

2. Visual impact

This site is clearly visible from the hills above Charlton Kings where so many enjoy getting out and about. It is part of the beautiful Cotswold landscape. Once it has been built over, it is too late.

3. Loss of local amenity

"Our natural environment is essential to our wellbeing, and it can be better looked after than it has been." (National Planning Policy Framework)

The wider community uses these grounds for cross country events, inter-school competitions plus those at district and county level. These events would not be the same, run around tracks in stadiums. To help combat obesity and the huge impact it has on the health service as well as people's lives, we are trying to introduce our children to exercise from an early age so it is a natural part of their lives as they grow older. We need spaces such as this piece of land to inspire

them to enjoy their natural environment when they exercise. It is good for the soul to get out amongst nature.

In addition, this site has been used for many years for the annual St Edward's Bonfire and Fireworks display, where thousands come to enjoy a wonderful family occasion in a safe environment. This local community event could be in jeopardy if the proposed building were to go ahead, with a resulting loss to the many charities which the event has supported over the years.

4. Increase in traffic

The number of houses proposed on this site would bring additional traffic to the already crowded roads in the area. The site is steep and uphill from local shops and other community services, meaning anyone living there would likely be reliant on their car for all journeys, however short. This goes against all advice for us to exercise more, to walk instead of use the car, particularly for short distances. This traffic would create disturbance to those living in the quiet cul de sac proposed as the access point. Add deliveries to the 100 proposed households and the whole character of the local area changes dramatically.

5. Flood risk

Building on areas which help provide natural drainage causes future problems. The impact of development on this site is likely to have major repercussions for localised flooding.

6. Impact on local Services

Building 100 houses on this site, would also negatively impact local services such as schools and doctors surgeries which are already over-subscribed and not adequate for the local community.

Conclusion

Whilst I understand the need for new housing, we must build this in the right locations. Local infrastructure must be in place to support large scale new developments. It may be technically more difficult to clear land that had a prior use but even with additional costs associated with that, building on our green spaces is not the answer. They are essential to our well-being. If we enjoy them, how can we take them away from future generations?

Tanglin
Oakley Road
Cheltenham
Gloucestershire
GL52 6NZ

Comments: 11th September 2017

I am a resident of Battledown and am writing to object strongly to the proposed development at Oakhurst Rise for the following reasons.

1. The SHLAA / SALA document - Cheltenham Borough Council [CBC] Assessment of Availability 2016-2017 - on the CBC website does not list the land at Oakhurst Rise as having been assessed for planning. There are numerous sites which are specified by CBC as being suitable for development -- this is not one of them.

2. The SALA document makes comments on Physical Constraint and states for Flood Risk that

'A site is assessed as unsuitable if entirely within flood zone 3a/b. This is informed by the Environment Agency Flood Zone Map, Strategic Flood Risk Assessment Level 1 (2008), Level 2 (2010) and Level 2 Additional Assessments (2013). A site's capacity will be adjusted where part of the site falls within flood zone 3a or 3b. Consideration will be given to whether the site includes a watercourse, culverted watercourse or planned scheme to mitigate flood risk.'

Natural springs arise from the Oakhurst Rise site and there is risk of flooding FROM the site onto the adjacent lower-lying areas of housing which will also be increased by the removal of top soil from the clay base as part of the development process.

3. Oakhurst Rise is a small, narrow and steep residential road, which is unsuitable for widening or coping with an extra 240 cars, most of which will be exiting the site between 8am and 9am in the mornings. The SALA document states in the paragraph concerning Physical Constraint: Access that

'A site is not suitable if not physically accessible and constraints cannot be overcome within the achievability considerations.'

4. The Oakhurst Rise site is steeply sloping and the SALA document states on Physical Constraint: Topography that

'A site is not suitable if the topography of the site is steeply sloping or deemed a physical constraint on development. A site's capacity will be adjusted where part of the site is physically constrained by topography.'

5. The Charlton Kings Parish Plan, published in April 2017 states that 'a clear consensus emerged that development on open land and green spaces should not be allowed' and that 'There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land'.

It can be seen, therefore, from this above that this development contravenes the restrictions specified by the residents of Charlton Kings and its Parish Council.

6. The Cheltenham Planning Policy GE 2; Private Green Space states that 'The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.'

This site is a private and green area which does make a contribution to the town as it is used both regularly and frequently by members of the public and school-children for educational and sporting activities.

7. The proposed site is not a derelict, unused site. It is currently used for outdoor activities by local schools, cross-country groups, walkers, ramblers from throughout the county of Gloucestershire.

8. The proposed site contains several old trees (some with TPOs) and hedgerows, which have existed for over 200 hundred years, as shown on maps from the 1810s. This heritage and the diversity of flora should be preserved and not destroyed, as would be the result were this development to proceed.

9. Protected species such as bats, newts, badgers and birds inhabit this site. This proposed development would destroy this greenfield habitat.

10. The infrastructure and services within the Charlton Kings local area cannot cope with additional homes. School and doctors' surgery places are full. The rush hour traffic in London Road could not cope with the additional cars feeding in from Charlton Court Road. Parking in Cheltenham city centre and surrounding streets is already a serious issue.

In conclusion, I ask the CBC to reject this plan outright due to the fact this is not a SALA approved site, such development contravenes the Charlton Kings April 2017 Parish Plan and The Cheltenham Planning Policy GE 2; Private Green Space. The site is home to ancient trees, hedgerows and protected wildlife and is a used and loved space by residents of Cheltenham town and the county.

1 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RQ

Comments: 10th September 2017

1. Loss of local and regional amenity (cross country course has been used for over 60 years by thousands of school children). NPPF para 74 is the issue in hand.
2. Legal responsibility to protect against flood risk downstream (CBC have previously put in writing that this site and surrounding area has flood problems). Legal liability could pass to taxpayers if CBC are found to be negligent in this regard.
3. Protection of setting of listed buildings (x2). It isn't just visual setting, it is local context that matters, as tested and proven in the high court.
4. Protection of green space and environment (GE2 is the local policy to cite).
5. Loss of local character. Density of housing on this site = 23 homes per hectare. Zoned by CBC for planning purposes in Battledown - density of housing just over 4 homes per hectare.
6. Hedgerows legislation of 1997 (assumption against removal). Or presence of ancient trees.
7. Traffic and infrastructure throughout Ewens Farm, London Road, Hales Road. Government says 2.7 cars per home. 270 cars per day, in and out, before deliveries and support services. Really?
8. Access. Has anyone walked or cycled up Oakhurst Rise recently?
9. Overlooking and loss of privacy in a kindergarten playground (and surrounding properties).
10. Visual impact on AONB and local conservation areas.

The fact that this is NOT AONB or green belt does not give licence to build across it (despite assertions to the contrary). There is no social housing in this proposal (counter to CBC policy). This offers no respite to ordinary folk of Cheltenham, and detracts from the quality of life of local residents, particularly those in the Ewens Farm / Charlton Court / Oakhurst Rise locality. Please support them. It doesn't take long. The site has been rejected for development multiple times before. But we need YOU to record your views if we are to be successful again.

36 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 26th February 2018

I thoroughly object to this development on the following grounds:

1. Over population - despite plans for an additional secondary school to be built within the area, I believe that this is to cope with the existing population growth over the next few years and need for school places - 100 houses will increase the pressure not only on school places for both primary and secondary schools but also on already pressed doctors surgeries and the Cheltenham hospital.
2. An area of natural beauty and wildlife - with the massive development still underway beyond the local Sainsbury's Cheltenham's wildlife is continuing to be under threat - why can't the council put an importance on this?
3. For Oakhurst Rise residents and surrounding roads such as those of Ewens Farm and Charlton Court Road - none of us want this, the extra traffic, extra people, closed in views of housing. We do not want this.

26 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JJ

Comments: 2nd March 2018

I strongly object to this planning application for the following reasons:

The impact on local residents in particular Oakhurst Rise.

The access is dangerous and steep and far too narrow.

The huge increase in traffic in an already busy estate, which is also used as a rat run by people avoiding the London road traffic lights.

The loss of the nature reserve, trees and plants which could never be replaced.

I sincerely hope that this planning application will not be approved.

Oakley Lodge
Oakley Road
Cheltenham
Gloucestershire
GL52 6NZ

Comments: 11th September 2017

We are writing to object most strongly to the proposed development of the field adjoining St Edward's Junior School and Oakhurst Rise. This application appears to be totally contrary to local planning and environmental policies and would be detrimental to the local community which currently makes extensive use of this site for a variety of valuable purposes.

Other objectors have cited very real grounds for the rejection of this application, such as: the increased risk of flooding; the loss of a valuable local green space; the unattractive visual impact of the proposed development; intolerably increased traffic and potential traffic congestion; the unsuitability of the proposed access road; and no consideration for the increased burden on local services such as schools and doctors' surgeries. We support these objections and urge the Council to reject this application as being wholly unsuitable.

Wellswood House
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 11th September 2017

I wish to object strongly to planning application 17/00710/OUT for the following reasons:

Traffic

I have lived in the area for 20 years. Parked cars on the roads between London Road and Hales Road have caused congestion and a danger for pedestrians, cyclists and other road users for many years and this has been exasperated by recent parking restrictions elsewhere in the town causing commuters to seek free all day parking in the area. To allow another 100 homes to be built in that wedge of land would cause chaos on the narrow roads of the Ewens Farm Estate.

Oakhurst Rise is a steep, quiet residential close accessed via a blind corner on Ewens Road and is often impassable in icy conditions during the winter months. The road is totally unsuitable as a single access point for 100 new houses.

Access from Charlton Court Road to London Road is difficult because of the speed bump on the upward slope and parked cars obstruct visibility at both accesses from Ewens Farm on to Hales Road (King Alfred road and Athelney Road). Allowing this development would add to the dangers for all road users in the area.

Infrastructure

It is almost impossible to get an appointment at Sixways Clinic. Without extending the building and additional staffing it is unlikely to be able to take on the families that will be housed in the proposed development. I understand that local schools are also fully stretched.

Flooding

Battledown hill is formed of clay and at the bottom in Queen Elizabeth Park there is evidence of significant water run off that never drains on the site of the former brickworks. Replacing St Edwards's school fields with impermeable surfaces is likely to cause stress on the Victorian drains to the north within the Battledown Estate and the appearance of springs which are already a problem to residents. To the south west homes in Oak Avenue, Churchill Drive and Haywards Road were flooded in 2007; development on this scale on St Edward's field above will increase the likelihood of further flooding to these homes.

Please reject this application.

2 Battledown Drive
Cheltenham
Gloucestershire
GL52 6RX

Comments: 12th September 2017

As a local resident and living close to the proposed development I strongly object to this application. I believe that if it were to go ahead it would mean the loss of valued open green space which is used as a recreational area to those in the community, the loss of a mature natural and diverse environmental habitat, the creation of a dangerous road 'environment' and place further stress on already overburdened local amenities in the area..

Fleshing out these headline points, please give due consideration to the below points of objection as follows:

- The development is on a green field site and I believe this type of site should be protected and preserved. Cheltenham Borough Council (CBC) should focus new developments of this scale on brownfield sites.

As has been highlighted by a previous objection, the Parish Council plan 2017 was published by the parish council to provide guidance for the next 5 - 10 years. Developed in consultation with the community it states "a clear consensus emerged that development on open land and green spaces should not be allowed." Furthermore it says "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land."

Therefore, this development is contrary to the conclusions drawn by the Parish Council and the residents of Charlton Kings.

- Environmental / rare animal habitat destruction. There are massive adverse implications for trees, hedgerows and the local wildlife which is a key characteristic of this part of town. I am very

concerned with the developer's plans with respect to the trees and hedgerows within the site. CBC should be protecting these wonderful trees and rare green spaces.

The biodiversity report of the site appears to be deceptively inaccurate. As a young family we regularly walk in the area and see various forms of wildlife. I can confirm, based on what I've seen with my own eyes, that newts, deer, badgers, foxes, grass snakes etc. are indeed prevalent in this vicinity. Should this development go ahead there will be a significant adverse impact on this wonderful, rare environmental mix of human/wildlife habitat.

Furthermore, Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." On this point alone, as a decision making body acting with un-sullied integrity I urge you to apply this principle to this wonderful site and reject this application.

- The proposed high density development in its elevated position will have a huge impact on the view towards Cheltenham, reducing the green space feel therefore demeaning the current perception (and reality) of the town being an airy, pleasant environment to reside in.

- Increased flood risk. Others have highlighted that historically there have always been significant issues with surface run off and groundwater flooding around the site. A full and proper impact study needs to be done investigating the impact of the scheme on the area.

- Local road capacity/safety. Oakhurst Rise is a small, narrow and steep cul-de-sac - on street parking is common. It is entirely unreasonable, and unsafe, for a major building site to be accessed through this 'channel' of a road. Subsequently it would be an unreasonable and unsafe strip of road bearing traffic volumes and speeds that it was never designed to handle.

- Further stress on already stretched local amenities, e.g. schools both primary and secondary, the doctors' General Practice.

Thank you for your time and consideration to the above points.

Meadow View
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 11th September 2017

I object to this planning application on the following grounds:

- Flood risk. I understand a similar application to build 30 properties was rejected in the 1980's on these grounds. This application should also be firmly rejected. This 10 acre site is home to a natural flood defence system which benefits the residents of Charlton Kings and the rest of Cheltenham. The site consists of mature trees, thickets, hedgerows and meadow land, which soak up vast quantities of water and help to reduce the water table for the surrounding area. To remove these natural flood reduction assets, together with the top soil which binds them together and replace it with concrete, will inevitably cause an unacceptable danger of flooding from this site to existing properties and roads, and potentially to the proposed properties to be built on the site.

- Access and traffic. I understand a recent application to develop the near by brown field site of Tim Fry Landrovers, was rejected on the grounds of access and traffic. The Oakhurst Rise development will bring an unacceptable volume of traffic to the same area, and currently only has one access point. Even if the Developer finds other access points or reduces the number of properties to be built, there will still be an unacceptable volume of traffic on roads never designed

for this purpose. For the sake of consistency, and to protect the health and safety of existing residents and current road users, both pedestrian, cyclists and motorised of this busy area, the proposal to develop the site off of Oakhurst Rise should be rejected on the grounds of lack of access and unacceptable volumes of traffic.

- Loss of the unique historic site. I've already referred to the beautiful mature trees, thickets, historic hedgerows and meadow land, home to many species of plant and wildlife, an area clearly visible from an area of outstanding natural beauty. Just imagine how much pollution this area absorbs to the benefit of the local population. Please ensure this area is preserved for future generations of Cheltenham residents and reject this proposal.

- Loss of facilities. This site is used for cross country events that are attended by schools throughout Gloucestershire and surely should be designated as a Sports Field facility. My own son has competed in cross country events, on many occasions, on this field. He tells us, that given the gradient of the field, it is the most challenging course that he has run and for him, was the highlight of the Cross Country season. At a time when there is so much concern over children's health and fitness, future generations of Gloucestershire children should not be deprived of this facility.

I could go into the many aspects of the inaccuracies in the documents proved by the Developers, but I believe these have been well covered by other objection letters. I trust that this outline proposal will be firmly rejected on the four straight forward grounds that I have mentioned.

Meadow View
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 11th September 2017

I am a resident of Meadow View, Birchley Road. I will not repeat the comments expressed previously but I would closely associate myself with them. Particularly I would like to draw attention to ecologist appraisal section 3.14, which describes the pond at the back of our property as ephemeral, despite their being high water levels and much wildlife there for the best part of the year; just ask the ducks who have lived there so frequently. This single issue is symbolic of a highly incompetent planning process which has taken short cuts and deferred serious problems without due consideration. Overlooking these issues will detrimentally affect residents and will undoubtedly remain a burden on the local council for years to come, most likely at a serious financial and emotional cost for all involved.

Although I am a resident on the edge of the proposed building site, this application has a more personal edge for me; I am one of hundreds of pupils who have competed in the cross country course that begins in the grounds of St Edwards, ascends to the top of the hill, and finishes back down in the grounds of St Edwards.

To say it was a pleasure to run this course would be a lie. It was gruelling and difficult, and despite racing in the school's district cross country trials there three times, I only ever came second, thus it is something of a sour point for me personally. Nonetheless it was a challenge I was lucky to get to undertake, and one which brought my teenage self a strong sense of accomplishment.

It deeply saddens me though to think that the sense of achievement, of perseverance and grit, that I, and all my other fellow competitors enjoyed would be deprived of future generations. The course is notorious in the schools around Gloucestershire, in part for being an immense challenge for any competitive runner, but also because there are so few decent cross country courses in the area. Running around a flat sports pitch has no comparison to the feeling of

reaching the summit of the hill, traversing the apex and heading towards the descent, and being able to glimpse at the view of Cheltenham below, racing towards the finish line. These are the experiences, no matter how brief or insignificant they may seem, that create character and bring a sense of achievement and self-esteem to the lives of many young pupils in the Gloucestershire area.

This point may not be central in the minds of the decision makers involved in this process; however, they must acknowledge that if they do allow it to go ahead, they will be divesting pupils of a tremendous challenge, and diminishing in a small part the richness of their education.

223 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DF

Comments: 7th April 2018

It would seem to me that apart from narrow fairly restrictive access, the amount of additional traffic, I would assume most dwellings would have at two vehicles, there would be considerable congestion particularly at peak times. Not only causing additional delays but considerably more pollution and noise. The loss of magnificent established trees and green space would be regrettable.

60 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JH

Comments: 8th September 2017

I object strongly to this proposal to cover valuable, wildlife-rich green space with poorly-designed housing, particularly when there are plenty of options for brownfield development available nearby.

The landscape information produced to support this application is extremely partial. The LVIA fails to recognise that whilst the upper fields are managed differently to the sports pitches, that doesn't make them less valuable. Or that views across open green space can be high quality, even if the site hasn't been featured in a guide book! And so on. The landscape strategy is completely misleading and counter to normal good practice; virtually all the proposed trees shown on the plan are in private areas where they cannot be secured as a general amenity and should not be included. The reality would be something far 'harder' in character and completely out of place.

These fields have been used for generations for recreation and still form the highlight of the local schools cross country circuit. They are also regularly used by the huge numbers of local residents on bonfire night, contain protected trees and hedgerows and are prized by neighbours for the wildlife and tranquility they provide. Contrary to the statements in the LVIA, the fields aren't compromised by an 'urban' setting at all - they are very well screened from surrounding housing, but are visible from the AONB, the village and in important views from popular recreational routes. Allowing development here is counter to local policy GE2 and national policy in regard to recreation.

The fields form part of the original setting to the listed, historic building and would have been included in planned views from the approach to the house. Losing them would have an enormous detrimental impact on the setting of the listed building.

The strong slope across the site would create a considerable risk of flooding, both to the school site, the homes within the development and those downstream. Flooding is a predictable outcome of allowing development here.

The level of traffic movement required for a development of this density would bring the local roads to a standstill at peak times. Congestion is a serious problem in this area already, with some of the local roads forming a cut-through to avoid congestion on the main roads. For pedestrians and cyclists, the proposed access is difficult and dangerous enough already, due to narrow roads and parked cars, and clearly sending hundreds of additional cars through on a daily basis during the rush hour will make this much worse.

This application should be rejected. The site is not suitable for housing development and should be retained as valued green space.

12 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RH

Comments: 9th September 2017

I object to the proposed planning application on the following grounds:

1. Increased flood risk to surrounding areas
2. Increased demand on local amenities, schools and healthcare services
3. Impact on traffic congestion and public safety.

Regarding the increased flood risk to the surrounding areas, the Flood Risk Assessment focused primarily on the site itself, i.e., a field, and 'conveniently' avoided referencing significant flooding that had occurred in the surrounding areas to the south-west of the proposed site, i.e., Oak Avenue, Churchill Drive and Haywards Road in 2007.

The report proposes that surface water could be removed from the site using an outfall connection into the existing sewer to the southwest of the site located in Charlton Court Road. Given that the drains in this area already struggle to cope with surface water and overflow flooding - as evidenced by the major flooding in 2007 and persistent surface water pooling during heavy downpours, this proposal is completely inappropriate and puts houses in the above named streets at even great risk of flooding. Should this proposal be accepted, the developers must be made to take out additional insurance or provide guarantees against flooding in the potentially affected areas.

The addition of 100 plus residences with a possible 300 to 400 new residents will stretch already creaking public services to the limit. School places are already near to capacity and the ability to accommodate the projected number of additional pupils within the existing local framework will not be possible. Furthermore, local GP services are stretched with waiting times and the ability to book appointments at the clinic at Sixways becoming increasingly difficult. This will only get worse with the proposed additional housing and residents.

The proposed development will also bring a significant increase in the traffic passing through an already congested area. Haywards Road and the roads around Ewen's Farm are already used as a cut through for traffic between Hales Road and London Road. Although the speed limit has been reduced to 20 mph in these areas and traffic calming measure have been implemented,

vehicles are regularly observed to be travelling at higher speeds. The junction between King Alfred Way, Churchill Drive and Haywards Road is already very difficult for pedestrians to negotiate due to traffic using the roads as a cut through. This will become worse with the additional vehicles using and accessing the proposed site. Furthermore, the general increase in traffic in and out of the site via Oakhurst Rise will have a negative impact on the existing residents of this street plus those of the surrounding areas by not only reducing safety but also increasing noise and traffic nuisance.

Ash Tree House
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 10th September 2017

I strongly object to this planning application.

My comments are focused on three areas;

1. This site is not listed for development by the Parish or Cheltenham Borough Councils, and it provides a valuable green field amenity for many local activities which would be lost if the development were to go ahead.

Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." This site clearly has a unique environmental impact with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. It is a unique site that it is surrounded by buildings on all 4 sides, it is visible from the AONB areas. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham.

Also, Charlton Kings Parish Plan was published in April 2017 by the parish council to provide guidance for the next 5 - 10 years. It was produced by a public questionnaire and parish meetings. Page 8 states "a clear consensus emerged that development on open land and green spaces should not be allowed.". Page 9 states "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land"

2. Access available to the site is grossly inadequate to support the significant volume of road traffic that would be generated by so many houses in this location. Beyond the immediate site access issues, the existing traffic issues around the busy A40 London Road / Hales Road junctions would be exacerbated.

A recent planning application for new houses to be built on brownfield site in 'Tim Fry' area was rejected, one of the main reasons for this was due to impact on the local traffic. Prior to this another proposal to build 30 homes off Charlton Court Road was also rejected due to unacceptable traffic and the risk of flooding.

A previous planning application on this same site, albeit for 'only' 3 acres of development not the full 10 acres was rejected on 20 December 1984 due to;

"Reasons for refusal included the loss of trees, the exacerbation of existing flooding problems, and the inability of the surrounding roads to cope with anticipated amount of traffic."

Source. Cheltenham Borough Council Borough Architect and Planning Officer.

3. Historically there have always been significant issues with surface run off and groundwater flooding around the site. The proposed development site is clay, with steep slopes. There are

natural springs in the area and complex drainage systems. This will inevitably lead to increased flooding risks on the lower aspects of the proposed site and definitely to lower lying properties.

With regards to the above concerns it is respectfully requested that planning permission for the above development be refused.

Comments: 3rd March 2018

I wish to reiterate my strong objection to this planning application.

Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." This site is part of the critical green space that goes to form Cheltenham, and it is a wonderful undeveloped area that has been utilised by the local school(s) and wider community for decades.

The additional materials do not resolve any of the issues recorded by many of the other well informed objections submitted to date. Therefore, with regards to these and my own previous concerns it is respectfully requested that planning permission for the above development be refused.

Comments: 14th May 2018

Thank you for your letter of 30 April 2018 confirming the further revisions to the above application. I wish to reiterate my strong objection to this planning application having now reviewed the additional documentation.

In my view, the nominal reduction to 91 dwellings and increased provision for 'affordable housing' does not constitute a material difference to the application. The scale of the planned development remains completely inappropriate for this site and very much out of character with the local area. Access to the proposed site is restrictive, with a very steep aspect to the approach and narrow roads that are in no way adequate for such a development. The site is located close to the AONB and is an extremely valuable resource for the school, local community and wildlife. The new documentation does not attempt to address or resolve any of the many common issues already recorded in the comments previously submitted online.

Further, there are real concerns and a significant impact on the planned development in the proximity of trees - T3 & T8 on the Northern boundary with regards to the TPO's and RPA's that have been based on guidance of BS5837 (4.6.1), whereby the maximum of 15m radius from the tree stem is being used. However, the Natural England and the Forestry Commission report published in January 2018 which recommends that "for veteran trees a buffer zone of at least 15 times larger than the stem diameter or 5m beyond the crown edge if that is greater" should be used.

In addition, CBCs own Tree Officer stated on 8 Mar 2018;

"Veteran trees have not been classified as per BS5837 (2012) recommendation where veteran trees should have an automatic A3 classification. Similarly, their Root Protection Areas do not conform to the Woodland Trust and Ancient Tree Forum recommended areas equivalent to an area described as a circle of 15 (as opposed to 12 in BS5837 (2012)) times the diameter of a tree or 5 metres from the edge of the canopy. Indeed, such recommendation of no hard surfacing within BS 5837 (2012) para 7.4 recommends that no construction occurs within an RPA."

The amended application does not address any of my previous objections, and hence all my previous objections still remain. I also fully agree with all of the numerous comments made to date regarding the increased flooding risk, increased pressure on already stretched local resources, and irreversible damage to the wildlife, trees, hedgerows and meadow. I would be

grateful if the council would take my objections into consideration when deciding this application and it is respectfully requested that planning permission for the above development be refused.

12 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AY

Comments: 10th September 2017

I strongly object to this planning application on the following grounds :

- The loss of the local and national cross country course used for over 60 years by thousands of schools. (NPPF. Para 74). My eldest daughter uses this course as her cross country course, being one of the only places school children from state schools can train and compete. it is disgraceful to replace this precious land with yet more houses.
- the protection of green space and the environment (GE2 local policy)
- I am seriously concerned about the close proximity of the development to the kindergarten where my daughters both attended, and lack of privacy.
- traffic will be horrendous in an already over populated area that is used as a rat run at school drop off

Comments: 12th March 2018

I am writing in disgust and complete objection to this planning proposal on green land that has been used and should be used forever more for our children. My daughter is one of hundreds who recently ran in a local school cross country race here. There are fewer and fewer places for our children to exercise in the open.

Shame on the developers and those that support this scheme.

122 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 10th September 2017

I object to the proposed planning application for numerous reasons, the key ones are:

- the environmental impact in terms of draining and increased flooding risk
- the traffic Implications there are already serious traffic issues in the area with delays around six ways. Building this number of properties would Have serious implications,
- the local schools are already over subscribed and one off extra classes having to be added. With 100 extra houses where will the children be educated,
- the general environmental impact with loss of,green spaces, impact on the wildlife and the trees and hedgerows that would result from this development

Please protect our area and refuse this application.

Glenwhittan
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 10th September 2017

I write to object to the above planning application. The land in question forms part of the Cotswold escarpment and, if developed, would set a worrying precedent for further development of other parts of the escarpment.

The impact of the development would have a detrimental effect on the landscape; the green band is visible for miles around and contributes to the beauty of the Cotswolds. The preservation of urban green space is important for protecting the local ecosystem, and the proposed site is also used as a cross country course for school children across Gloucestershire.

There is one approach road to the proposed development which is windy and very steep; you weave pass parked vehicles as it is, and any additional traffic would cause congestion and potentially be dangerous.

The William Morrison Residential travel plan refers to distances from the site to amenities, as being 'easily accessible by walking (and cycling)', but the reality is that the proposed access roads are very steep: the approach road is far too steep for most cyclists and especially children on bikes/scooters (difficult to go up and dangerous to cycle down), very hard for pedestrians with any shopping, mothers with buggies/prams or anyone infirm, and unsuitable for bus access.. Therefore there is poor availability of alternative modes of transport to and from the site, other than by car.

If weather conditions are poor, for instance icy, the access roads would become extremely treacherous. If it snows or is icy, 4x4s have difficulty accessing houses on Oakhurst Rise, and other vehicles have to park on Ewens Road and walk to their houses. As it is Ewens Road becomes extremely crowded, and would not cope with an increased number of vehicles.

"Large scale development (with over 100 dwellings) may offer an opportunity to include sustainable measures to provide alternative means of travel other than travel by car." This site does not fulfil that, there are other more suitable sites that could.

In numerous documents I have read (for instance Vehicular Access Standards, Advice documents for the Planning Service) they refer to daily traffic volumes. "The volume of traffic requires particular consideration when total flow on the minor road exceeds 500 vehicles per day (i.e. serving more than 50 dwellings)." So 100 houses would dramatically increase the total flow on the small access roads, potentially to 1000 vehicles per day.

If, on average, c 32%of households have two or more cars, 100 dwellings would dramatically increase the number of vehicles using the small access roads.

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

Comments: 10th September 2017

Object

Pine Lodge
50 East End Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QL

Comments: 10th September 2017

Another 100 houses spilling onto inadequate road infrastructure before joining the A40 is only going to increase pollution along the A40, which is already bad due to queuing traffic through Charlton Kings and exacerbate existing traffic problems.

The local schools are already at capacity

Loss of another green space with diverse wildlife

The icehouse for the old manor house is also located on the field

The proposed houses have insufficient green space

4 Cleevelands Avenue
Cheltenham
Gloucestershire
GL50 4PS

Comments: 10th September 2017

I am writing to object to the proposal. Having read through the developer's literature and with some knowledge of the site in question I am staggered that the council would entertain a development of any housing let alone one hundred.

As has been cited, a previous proposal for development was turned down in 1984 due to the concern over increased traffic to the area. It is well known that since this period car ownership has increased and therefore it does not add up that this increased traffic would not impact significantly on the surrounding area due to the development of 100 extra housing.

The Ewen's Farm development was never designed to cater for the flow of traffic that they currently experience and there are traffic issues here already so increased traffic is bound to have a negative impact for those families living in the area. There are two nearby parks (off Churchill Drive and Queen Elizabeth 11 playing fields) specifically designed for children and have facilities for toddlers. The increased traffic will change the nature of the community that they were designed to serve. The houses in this area cater for families. The same is true if access to the housing development is from Oakhurst Rise. The surrounding roads in this area are used by primary school children and their families to walk to their local school. The school serves the local area (Holy Apostles) and part of its ethos is to encourage its families to adopt a healthy lifestyle. I strongly believe that the council should be actively seeking to reduce increased traffic around such areas where children are either playing or walking to school rather than allowing it to increase.

The site in question is a field backing onto the original house (Ashley Manor now St Edward's Prep School). This house is of historical significance for Cheltenham and the proposed site actually houses the remains of the original ice-house that served the house during its heyday. Historic England states in its record for the house that it is,

"One of the finest villas in the Cheltenham area, its internal plasterwork is a particular feature for its diversity, depth and quality of composition."

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest. It is also stated on the accompanying map,

"Any object or structure fixed to the principal building or buildings and any object or structure within the curtilage of the building, which, although not fixed to the building, forms part of the land and has done so since before 1st July, 1948 is by law to be treated as part of the listed building."

It is my understanding that the owners of the house are also the landowners of the proposed development field. As the structure forms part of the land, it should be treated as a listed building. It beggars belief that a council would wish to destroy such a valuable contribution to the history of Cheltenham especially as it is listed for its historical interest.

I am also opposed to the site being developed as it plays a pivotal part for the community of Charlton Kings and indeed the wider community. Four hundred children of the Prep School have access to the site to use for environmental studies as well as the site being used for inter school and district cross-country competitions. This can involve a number of children throughout the year and the course has a reputation amongst the local and county schools for being a true cross country experience for younger children in a safe environment.

The site is also used for the community's annual Firework celebrations in November. This event is renowned for its inclusive family feel and it attracts younger families as well as elderly relations due to the fact that the school, with the accompanying fields, offer a safe and secure surroundings.

The above events illustrate how important it is that pockets of green spaces serve to encourage the community to use it's community for the greater good for all to enjoy and to unite and enrich the community. A development of the type proposed will do nothing to enhance the community.

It is for these main reasons that I strongly object to the proposed development.

High Grove Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LA

Comments: 12th September 2017

I wish to object to this proposal on the grounds of adverse visual impact. I would not be directly affected by this proposals as I am not an immediate neighbour and the site is not visible from my house. Nonetheless, I value enormously the sight of green Battledown Hill from various vantage points across the south-east of this town. This place is a uniquely beautiful feature of the town, and must not be covered and blighted by a dense housing project. Cheltenham's urban green open spaces are an invaluable asset for generations to come, and we should not be guilty in our time of wanton destruction of beautiful and irreplaceable townscape.

I am fully aware of the desperate need for new housing that is faced by Gloucestershire and the UK generally, and I know that housing developments will always be locally unwelcome and controversial, but in this case the landscape is just so valuable that we must find other, far less sensitive, locations for provision of much-needed houses.

Glenwhittan
Birchley Road
Cheltenham

Gloucestershire
GL52 6NY

Comments: 15th May 2018

Comment re revised outline application: 91 dwellings:

1. 1: 91 dwellings remains far too many for the proposed access through Oakhurst Rise (OR); see comments in my letter of 13.09.17, which generally still apply: (the steep gradient of OR, and road dimensions, the single access, inadequate linking roads away from OR).
2. 2: The positions of trees T12 and T13 are transposed on the tree layout; and T13 which is proposed to be retained, is actually about 14m east of the marked position.
3. 3: For retained trees, such as T8, root protection areas should be established and observed in accordance with BS 5837: (in the case of T8 the protection area is a 15m radius circle).
4. 4: See also objections on the grounds of Landscape and Environment in our letter of 13.09.17, which still apply.

38 Merlin Way
Cheltenham
Gloucestershire
GL53 0LU

Comments: 10th September 2017

I object to this proposed development for the following reasons:

1. The significant increase in traffic in an already busy area which will result from the development.
2. The loss of ancient trees and hedges and the adverse impact on wildlife.
3. The loss of a green space used by local schools for sporting activities and by the community for events such as the popular fireworks display.
4. The adverse visual impact, which will be seen from many vantage points in the area.
5. The negative impact on local services and infrastructure such as the local doctors and schools which are already busy and over subscribed.
6. The impact on the local area in terms of flooding which will be exacerbated by the development.
7. The loss of privacy for the Kindergarten on the adjoining land and for neighbouring properties, all of which will be overlooked by the development.

10 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017

I firmly object to this development

My first issue is the severe traffic impact this will create to both the local roads and access to main roads. The traffic levels and access is already severely congested at peak times and this development will make roads impassable. As a mother of young children I am also concerned about the rise in pollution levels this will create with an increase in traffic and impact to local residents.

The rise in flood risk is a given and is totally unacceptable with the location of this development on green fields

The loss of natural habitat is also an unacceptable consequence of such a development in this area.

20 Rosehill Street
Cheltenham
Gloucestershire
GL52 6SJ

Comments: 17th October 2017

Cheltenham does not need more new homes in areas without the infrastructure to support them at the expense of green spaces and the well-being of local residents

130 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JT

Comments: 12th September 2017

I object to the proposals on the basis of the follow factors:

Flood risk

Traffic congestion

Pressure on local facilities - schools/doctors etc

Loss of green space and environment

Visual impact on AONB and local conservation areas

and request the application is declined.

House On The River
22 High Street
Cheltenham
Gloucestershire
GL50 1DZ

Comments: 12th September 2017

As per so many objections. Loss of a special green space which is home to so many species of animal, bird, reptile and insects. A wildflower meadow which is only mowed once a year if that. Native hedgerows, wild deer the list goes on. An oasis in the urban sprawl that is taking over the wonderful unique village like location that is charlton kings. Visible from, charlton kings main roads, leckhampton hill and directly accessible to the pupils of st edwards. Once it's developed there is no going back it is lost forever and we will all be poorer for it.

Road congestion

Air pollution from the additional cars

Pressure on local services

Loss of a locally cherished venue for crosscounty and bonfire night

Brownfield sites need to be developed not green spaces.

Fermain
Ashley Road
Cheltenham
Gloucestershire
GL52 6PG

Comments: 11th September 2017

We strongly object to this proposal on the following grounds echoed by most of the comments I have read:

1. Access through such a small road on a steep hill cannot support 100 dwellings and the associated traffic.
2. Local amenities, doctors, schools etc. do not have the capacity for the current residents let alone 100 more.
3. The natural significance of the land with it's mature tress, ancient hedges and protected wildlife cannot be ignored, it wouldn't be if this was an individual application.
4. The flooding around the area is already substantial and creating so much hard standing on such a large area will create huge issues elsewhere. The trees that are to be removed already help to reduce this flooding.
5. The amount and type of houses/dwellings proposed is far too concentrated for such a small area of land, especially given it's location/access point.
6. Loss of local amenities of which are ever diminishing for local events and sporting events.

38 Gratton Road
Cheltenham
Gloucestershire
GL50 2BY

Comments: 20th September 2017

Letter attached.

10 Hayouze Close
Bishops Cleeve
GL52 8SR

Comments: 20th September 2017

Letter attached.

49 Gilpin Avenue
Hucclecote
Gloucester
GL3 3DD

Comments: 20th September 2017

Letter attached.

38 Gimson Close
Gloucester
GL40YQ

Comments: 12th May 2018

I am against this application. Losing more green land that is used for great cross country races and school recreation and sport. It will be a real shame for the running community, the school community and the local community if this was to go.

The Uplands
Stanley Road
Cheltenham
Gloucestershire
GL52 6PF

Comments: 12th September 2017

i object this proposal due to the density of properties proposed, the wildlife (bats, newts, deer and very old oak trees) that would be destroyed and lose its long term habitat. The access Road proposed does not make sense and the impact on traffic in Charlton Kings would be hugely detrimental, as well as the impact on local services such as schools and doctors surgeries. I also understand that this would pose a flood risk given the clay soil and large slope.

39 Roman Road
Abbeymead
Gloucester
GL4 5HR

Comments: 12th September 2017

There is insufficient infrastructure to permit further residential development in Charlton kings. The proposals do not adequately address this issue.

108 Charlton Lane
Cheltenham
Gloucestershire
GL53 9EA

Comments: 11th September 2017

I object strongly to the application to build houses on the land off Oakhurst Drive, Charlton Kings - ref 17/00710/OUT

Children use this ground for cross-country races, bringing many children from different schools together. This will have to be stopped.

The regular yearly Bonfire night will have to be changed dramatically. This will effect the numbers and space where they can put things, therefore impacting what is known as an extremely popular community event.

Widecombe
Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PU

Comments: 27th June 2018

I object to the proposed development on the basis that the site: has major ecological importance for the local deer herd; is used by St Edward's school (which my children attend) and

Gloucestershire County schools for cross-country runs; and brings significant aesthetic beauty to the surrounding area.

38 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 9th May 2018

As a resident of Charlton Court Road and former pupil of St Edwards Junior School I am objecting to this application on the following grounds:

- Loss of natural habitat and the impact on the environment/wildlife
- Impact on current and future pupils of St Ed's school
- Impact of drainage on Charlton Court Road and the surrounding areas
- Impact on school places on a very oversubscribed area

18 Shrublands
Cheltenham
Gloucestershire
GL53 0ND

Comments: 10th September 2017

Cheltenham Borough Council have claimed to value green spaces "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted".

The application on Oakhurst Rise seeks to develop on land which makes a significant environmental contribution to our great town.

Moreover, the development will have a severe impact on the already bad traffic situation in the area. While I acknowledge that Cheltenham needs more housing, doing it at the cost of a school field and the local residents is not acceptable.

Finally, the increased flood risk of paving over permeable green fields at the top of the river Chelt catchment is important to consider. Ten years ago we saw parts of the village and the town flood and it could happen again. The Oakhurst Rise houses would only exacerbate the situation.

Let commonsense prevail.

Greenfields
35 The Park
Cheltenham
Gloucestershire
GL50 2SD

Comments: 10th September 2017

As a mother of 4 children I object to this application as any development goes against the councils own policy of the destruction of green spaces . My children have competed along with many other Gloucestershire schools in numerous cross country events on that field as well as attending the annual charlton kings / St Edwards bonfire event which is enshrined in the local psyche. The proposed Development would be hugely detrimental visual impairment to the townscape as one approaches this beautiful town along the A40.

Any development on this land would be a significant loss to the community and is proposed in a wholly inappropriate location.

15 Battledown Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RD

Comments: 10th September 2017

We object to this application for the following reasons:

1. Increased flood risk for properties downhill of the site, some of whom already suffer from flooding problems. Whatever reassurances are made, it is unlikely that measures taken by the developers will be able to compensate for the loss of natural drainage.

2. Traffic congestion (and resulting pollution) in the London Rd/Hales Rd/Ewens Farm area is already bad & will be worsened.

3. The proposed access road - a steep & narrow cul-de-sac - is completely unsuitable. Furthermore, it is wrong and unfair for residents who have chosen to live on a cul-de-sac to have it transformed into a through-road used by hundreds of cars every day, increasing noise, pollution & danger. The whole character of those roads will be changed and the quality of life of hundreds of residents will be adversely affected, through no fault of their own.

4. Loss of amenity for children from the neighbouring school who use it regularly for outdoor education and all those from other schools in the county who regularly use the site for athletic pursuits. Loss of amenity for the local community who attend the annual bonfire-night event.

5. Loss of valuable habitat for the countless species of birds, bats, animals, insects etc which inhabit the (undisturbed, and therefore valuable) grassland, trees and hedgerows which will be destroyed. Felled trees cannot simply be 'replaced'; a newly planted tree does not compensate for the loss of a mature tree in respect of visual amenity, wildlife habitat or removal of pollutants from the air. We accept that new houses are needed but to refuse a brownfield site development (recent Tim Fry Landrovers application) and then allow building on nearby green fields would be wrong.

6. Inaccuracies in the application including, crucially, the assertion that St Edward's School trustees were notified of the application in April when in fact they were not notified until the middle of the school summer holidays - convenient timing for the applicants to limit the time available for interested parties to have enough time to consider the plans and get their comments in before the deadline?! (Source: Extract from online comments: "The Trustees of St Edward's School would like to draw the following to your attention. Section 25 of the Application states that notice under section 65(8) of the Town and Country Planning Act 1990 was served to the School on 06/04/17. No such notice was received, and in fact the School was only formally notified of the application in a letter from SF Planning dated 15 August 17.") To compensate for this error there should be an extension to the deadline for public responses.

7. There is no social housing in this proposal (counter to CBC policy).

8. The scheme falls foul of CBC Policy GE2: Private Green Space (supplementary planning guidance June 2009, available on the CBC site) which states:

"The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted."

This site borders the AONB, forming a visual centerpiece to the unique village environment that is Charlton Kings. The proposed density of housing is far higher than, and out of keeping with, that of the surrounding area.

Comments: 2nd March 2018

Object. The additional/revised plans/information documents do not solve any of the problems put forward by me, and those reasons - detailed and backed up by evidence - given by others. Too many houses, unsuitable and unworkable vehicular access arrangements, lack of flood mitigation, destruction of peaceful environment for existing cul de sac, loss of amenity for school children & wider community, loss of wildlife habitat including important trees, to name but a few.

70 Little Herberts Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LN

Comments: 10th September 2017

There are so few green spaces left in the village - I object to this proposal and the extra burden it will place on the local infrastructure.

150 London Road
Cheltenham
Gloucestershire
GL52 6HJ

Comments: 10th September 2017

There is already far too much traffic whizzing around Charlton Kings. There is not the infrastructure to support another 100 houses, including schools & roads resulting in increased traffic & congestion. Similarly, the appeal of this area is the small friendly community feeling, which would be lost with the proposed large increase in numbers of residents. This area boasts country side & greenery on its doorstep which would be diminished should this planning application be successful. Don't turn this area into a mirror image of other large estates which support bland economy housing crammed into small plots.

51 Buckles Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QT

Comments: 14th September 2017

This is a lovely area. We have taken our children to the fireworks display every year here.

99 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 12th September 2017

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The site is an important community resource not only for the school but for the surrounding area, aside from the various sporting events held there, such as local interschool cross country, athletics, football, and rugby, it supports a wide range of clubs and events throughout the year. The annual fireworks display is an example of the way in which a local amenity brings the community together.

The current proposed access to the site is also of a concern, as there seems to have been little consideration to the huge volume of extra traffic that the houses will generate for what is already a short cut from Hewlett Road through to the London Road.

7 Ewens Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JW

Comments: 14th September 2017

Letter attached.

Sandhurst Villas
Sandhurst Road
Cheltenham
Gloucestershire
GL52 6LJ

Comments: 8th November 2017

My concern is around extra demand on an already stretched infrastructure. We are asked to support more and more housing but do not hear or see any extra money being invested into the local schools, doctors and other services. The road that runs by this field is already a rat run or a car park depending on time of day and day of the week. The road is not able to support extra traffic. Also what impact would this new estate have on the allotments and cricket club. Both very important parts of the local community.

7 Pilford Close
Cheltenham
Gloucestershire
GL53 9HA

Comments: 5th November 2017

I object to the development of this land as it will be a loss of amenity to the area. This field is utilised for the community fireworks, schools cross country, nature work, outdoor classrooms. The development would then prevent this happening and cause damage to the area.

3 Coxhorne Cottage
London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6UY

Comments: 11th September 2017

I write in relation to CBC planning application 17/00710/OUT.

I oppose the proposed development on the following points:-

Loss of local amenity:-

St Edwards School use the field to educate children about nature/environment and the need to protect these. Where else would these children learn first-hand without this facility? Many Gloucestershire schools use the field for sporting events (cross country). The annual bonfire night continues to attract thousands of local people every year, raising money for charity. There is nothing else to compare to this annual gathering of locals, most walking in family groups. It's the nearest to a festival/carnival that Charlton Kings has! Let's not lose this.

Proposed site access/Traffic:-

The current proposed site access from Oakhurst Rise is inadequate for the size of development. Oakhurst Rise is essentially a single track road (due to parked cars). It's a small residential cul-de-sac that is incapable of the amount of increased traffic from 100 new homes (approx. 150 cars? Approx. 2 journeys each a day? That's (conservative estimate) 600 movements. Add on guests, deliveries etc. 1,000 movements a day is easily conceivable).

Traffic is already at saturation point around London Road, esp. Sixways and at the Cirencester Road junction i.e these 2 points join with traffic regularly. The main input/output of new traffic to the proposed development to the 'outside world' would be via Charlton Court Road, which is central to these 2 congestion points. The inadequate traffic survey carried out by the developers does not reflect the reality of (already) heavily congested roads.

Road safety would be impacted, also. Charlton Kings has many children that, I for one, would prefer stayed

Wildlife/Nature:-

The proposed site contains many ancient hardwood trees. These are already protected by TPOs so why haven't the developers included these trees in the proposed plan? I strongly oppose any idea to touch these trees in any way.

There is a huge badger sett covering much of the proposed site. I understand there are more than 20 entrance/exit holes which indicates an unusually large clan. These are protected by law. The developer's idea of shifting the badgers towards the current St. Edwards School Kindergarten is too ridiculous to even pass comment on. I strongly oppose plan to interfere with the badgers in any way.

Other forms of wildlife that have been (recently) proven to be within the proposed site are newts and bats. These are protected by law and I oppose any plan to intrude on their habitat.

Flood Risk:-

I have listened to people who have knowledge in this area, and the proposed development would 'certainly cause flooding' lower down the hill. The developer's countermeasure is insufficient for removing the amount of extra run-off that would be created by the removal of natural absorption. The council will need a thorough and detailed survey of relevant flood risk (some food for thought - Cornwall Council were successfully sued in 2013 by Vernon Knights Associates over negligence that caused flooding...)

Safety:-

I object strongly to the idea that housing could potentially be sited a few metres from the current St. Edwards Kindergarten. It cannot be right to agree to this notion, and any countermeasure in an attempt to reduce visibility, noise and smells cannot be an adequate solution.

20 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 11th September 2017

Development objections

I object to the development of the land on this site for many reasons.

I was brought up in Ryeworth Road and my mother still lives there after 44 years. My father in law lives in Ashley Close where he's lived since 1962. We all know the area very well.

1. Policy GE2: Private Green Space (supplementary planning guidance June 2009, available on the CBC site)

The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.

If this clause does not apply to this site, then where does this apply? All open spaces are therefore open to new builds and development.

2. This land is a flood plain and smaller development planning permission has been rejected in the past because of the risks of flooding from building on this . Why is it suddenly ok now?

3. In addition, the field is a key part of the community. For example, St Edwards annual firework display is held here and it has been an integral part of community life in Charlton Kings for over 20 years. It's also a major cross country site serving the community.

4. The infrastructure cannot cope with more traffic here and the school catchment area would end up being Balcarras. This would mean that many more areas which are currently in the catchment for this school will no longer be, which will damage years and years of tradition and benefits for the existing houses. Displacement of school catchment will be an issue here therefore for existing families living beyond this development. The doctors surgery also won't be able to cope, let alone the surrounding roads.

Please rethink this ludicrous proposal. I completely object to any building on this land

59 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EX

Comments: 11th September 2017

I write as the owner of a house in Haywards Road (16, Haywards Road, GL52 6RH) which we currently have rented out and as the current resident of 59 Cirencester Road (GL53 8EX). I have also been a resident of Charlton Kings since the age of four (in 1970).

I want to register my objection to the housing scheme proposed for the top of the St Edwards School Hill off Oakhurst Rise in Charlton Kings. My reasons for my objection are as follows:

1. As someone whose property was flooded twice in the last 10 years in Haywards Road, I would be deeply concerned about any more building and hard surfaces covering the last remaining tree and grass upland catchment in the feeder area for the surrounding Ewans Farm and Haywards Road area.

2. As someone who lived at the end of the light industrial estate between Hailes Road and Ewans Farm - where a previous planning application was rejected (based on traffic concerns mainly as far as understand it) I am bitterly disappointed that a scheme to build on brownfield land and which included a mix of affordable and executive housing has been rejected and what feels like a completely greenfield application for what will inevitably be executive, unaffordable local housing up in a prestigious area that will give the residents the feeling of living on Battledown - with all the social kudos that goes with that.

3. As someone with four boys who I have spent the last 10 years walking to and from from Glenfall School, I would be deeply concerned about yet more local traffic coming onto the roads. The number of times that we have had 'near misses' over the past years on the school walk (something I am committed to, rather than driving my children to school) has been too many already. Because of the steepness of the gradient and the lack of any cycling provision I can envisage the vast majority of people on the new estate coming to and from their houses in cars.

4. As a local resident for more than 46 years, I would mourn the loss of that iconic hillscape with its beautiful trees from the Charlton Kings environment. Especially when there is a potential brownfield site less than half a mile away, ripe for development.

5. As someone who represented the county for cross country as a teenager and who enjoyed competing over the brilliant hilly course at St Edwards I would also mourn the loss of yet more school playing fields and greenfield land to commercial development. Habits that are encouraged and environments that children are schooled in set patterns for life. If the scheme goes ahead, what it tells the children of the school and of Charlton Kings more widely is: countryside and nature don't matter; fitness and wellbeing and green spaces don't matter; and the car is king. This is bitterly disappointing and shows a distinct lack of imagination.

Yours, in the hope that Cheltenham Borough Council will take the objections of local residents seriously.

10 Arthur Bliss Gardens
Cheltenham
Gloucestershire
GL50 2LN

Comments: 11th September 2017

I strongly oppose the development of this site.

25 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JS

Comments: 11th September 2017

As a local resident of Charlton Kings, I OBJECT to this planning application. I understand that a planning application of similar size for the brownfield site of Battledown Industrial Estate/King Alfred Way was recently Rejected due to increased traffic concerns and lack of increased amenities for the community e.g. school places, doctors, etc. Therefore, to allow such a development on meadows where badgers, deer and birds of prey reside would be astonishing. There is no provision in the plans for extra support to schools, and GP places, which are already under strain.

With only one route in and out of the proposed estate, even allowing for only one car per house, would have such a detrimental effect on the Ewens Farm area (Oakhurst Rise, Beaufort Road,

Churchill Drive etc). In winter, in icy/snowy conditions it is extremely difficult to access these roads.

I would also hope that this planning application is rejected so as not to impede on St Edward's Prep School, who regularly host cross-country for children from primary and secondary schools across the County.

Questions would certainly be raised by the general public if this development was allowed to proceed when the development of Battledown Ind Estate/King Alfred Way was rejected by the Council.

65 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 11th September 2017

I object to this proposal for several reasons. Building 100 houses on the land adjacent to Oakland Rise will lead to an increased risk of flash floods and the loss of precious green fields together with the wildlife, many of which are protected species. There is also the severe detrimental impact on traffic and on local resources which is inevitable should this proposal be allowed.

7 Chester House
St Georges Place
Cheltenham
Gloucestershire
GL50 3RE

Comments: 11th September 2017

I am very concerned with the planned development at the top end of Ewans Farm. There will no doubt be a huge impact on the local community in that their lives will be blighted by the increased number of cars passing through an already congested area. Levels of pollution will increase and become an added danger to the local populous.

The impact on the environment will no doubt increase the risk of flooding with green areas turned into concrete and tarmac. Why is there such a planned development when there is such a small space for development..?

This development is not in the public interest and is aimed purely for the profit of the developers who are only interested in the bottom line and not in the interest of the well being of the community.

Lastly, Charlton Kings has I believe limited schools available and with the ever increasing population. Where is the increase number of public facilities to be built..?

There needs to be serious consideration on the affect of uncontrolled development in an already built up area.

72 Bafford Approach
Cheltenham
Gloucestershire

GL53 9JB

Comments: 11th September 2017

I strongly object to the planning application to build 100 homes on land at Oakhurst Rise.

My key objections are:

1) Loss of green fields and a unique habitat - providing not only a habitat for protected species, but also a green space used by the local community (such as for the annual Fireworks bonfire).

2) Flood risks - to me it feels like common sense not to build on a natural river catchment area. Thinking of the floods of 2007 and subsequent smaller flash floods, we should be protecting such areas to help prevent flooding, not building on them to compound the problem. We should not be putting peoples homes at an increased risk of flooding, that is not sensible or fair.

3) Impact on Traffic - Sixways is already an incredibly busy area for traffic in Cheltenham, to add around a further 200 cars to the roads will make it even worse. Previous smaller planning applications have been rejected due to the impact on traffic and serious consideration should be given to it here.

4) Impact on Local Residents - Local residents should be considered in terms of the impact of having local green space replaced by houses. The level of noise, loss of local green spaces and increased traffic will reduce the quality of life currently enjoyed from living in that area.

5) Impact on the wider Community - As a resident of Charlton Kings, such developments raise huge concerns for me in terms of ability to gain local school places for my children and the strain on local services, such as GPs.

I hope the Council will listen to the objections being raised to this scheme and do the right thing by rejecting the application.

41 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 11th September 2017

This site is used by the local community for both an annual bonfire celebration and regular cross country competitions by local and county schools. There will be a detrimental impact on the local environment, including habitat loss and an increased flood risk. Charlton Kings is now overdeveloped, with houses being built on every available patch of land and garden big enough to be developed. This piecemeal house building is putting local infrastructure (schools, Drs surgeries, roads) under increasing strain.

Newlands
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 11th September 2017

I strongly object to this development.

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Access is totally unrealistic. Traffic and congestion in the area already feels out of control. To add 100/200/300 more cars will drive everything to a constant standstill. Schools and surgeries etc will be in real trouble.

Flooding in the Charlton Kings area is not under control even without this development. To build here will increase the flow of rain water and flood the already at capacity drainage in the area.

It is hard to comprehend how anyone can think it appropriate and in the interests of the local area to squeeze 100 houses onto this small field.

60 Bouncers Lane
Cheltenham
Gloucestershire
GL52 5JN

Comments: 11th September 2017

Strongly object, for reasons:

-increasing traffic volume to local area,

-increased risk of flooding to the local area

-St Edwards School and kindergarten will be greatly affected causing, the loss of the cross country field and bonfire event field. New houses mean new strangers close to kindergarten, congestion to school roads. Both parents and teachers are concerned about the safety of children due to increase in traffic and strangers having closer access to the children

-loss of field which is home to a variety of wildlife

Comments: 9th May 2018

Loosing the field which St Edwards holds their yearly firework display, will cause the school to loose income generated from that day.

Children currently study wildlife and this field is used by ST Edwards. To put social welfare (40% of the proposed application) will bring unwanted trouble to what is a nice area.

The extra traffic problems it will cause will destroy the tranquility of the aerate and when these builders come in they will cause havoc.

It's very upsetting to see yet again another area ruined by houses. There are so many other places more suitable around Cheltenham to build in.

8 Oak Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JG

Comments: 7th September 2017

I believe the area cannot already cope with the surrounding roads used as a "rat run" and therefore the extra traffic will make this a lot worse. The local schools are already over subscribed and this will add to the already present pressure for places. I believe the land has more purpose for the school use than adding to the current problems.

34 Griffiths Avenue
Cheltenham

Gloucestershire
GL51 7BL

Comments: 10th September 2017

We strongly disagree with such a beautiful space being built on.

69 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 11th September 2017

I object to the proposal due to the loss of an environmentally-significant green space. I believe it is important that green space is preserved within residential areas, due to the positive effects of such amenities on both individuals and the community as a whole. Fields, trees and wildlife should be things that we encounter on a daily basis, not something that requires a special trip into 'the countryside'. Charlton Kings will lose a precious and irreplaceable asset if this development goes ahead.

14 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 11th September 2017

I would like to strongly object to this planning application.

Firstly, this development would see a large reduction in the biodiversity of the area destroying the habitats of many organisms. At present we are very lucky enough to have deer, foxes and owls in close proximity to our house which inhabit and use this space. There are a number of mature trees which are not only of aesthetic benefit but also provide health benefits.

Secondly, with the building of one hundred houses come hundreds of children all of which have a right to access education, however the local schools are already over subscribed with no extra capacity. Likewise the GP surgeries of the area are stretched at present and would not be able to absorb the extra patients.

Finally, the roads surrounding the proposed development are already congested at peak times. Greenway/London road are heavily congested at school drop off and pick up times and increasing the volume of this traffic would bring local roads to a stand still.

Overall the application seems neither sensible nor feasible.

40 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NT

Comments: 11th September 2017

Feel that the infrastructure is not fit to meet the needs of a further 100 homes. The schools are already at bursting point. This is a village setting and has the community to match, I feel the

potential consequences of this build would have a very negative impact on the community as a whole.

18 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JT

Comments: 11th September 2017

We strongly object to this planning application for the reasons below:

- 1) Traffic - impact on already busy area which would have very serious pollution and safety consequences
- 2) Impact on local residents - pressure on local schools, GP services, shops etc. which the application completely fails to address
- 3) Increased risk of flooding - loss of natural river catchment area
- 4) Loss of green space

The Ridge
Ashley Road
Cheltenham
Gloucestershire
GL52 6QE

Comments: 11th September 2017

I object to the planning application that has been submitted for 100 new houses in Oakhurst Rise for the reasons set out below. Pertinently, I have highlighted just a few relevant points from Cheltenham's current Local Plan below, which clearly shows that this proposal flies in the face of just about every environmental concern outlined in the Plan. The environment is just one aspect of the Local Plan where this proposal falls desperately short. It is impossible to imagine therefore, that this application, which will, in effect, concrete over the green space in question, is able meet any of the criteria that the planners must consider when coming to a decision.

As the points below make very clear, the green spaces that need to be protected in Cheltenham are not simply public access parks and playing fields, but also private green space and I would therefore like to appeal to the planners to take very seriously their responsibility in 6.5 below 'to safeguard and enhance environmental features and qualities, seek to protect wildlife habitats, encourage their enhancement and creation', and to 'resists development on existing open spaces or playing fields' and I would respectfully draw their attention to the following;

The natural environment

Cheltenham Borough Local Plan states that:

3.21 The Government considers that the protection and improvement of the natural environment plays an important role in delivering an urban renaissance of towns and cities. Consideration of the natural environment is wider than simply the protection of traditional open spaces, taking into account areas such as highway verges, incidental open spaces, watercourses and ponds.

3.22 These spaces provide essential connections and habitats for wildlife and biodiversity, contribute to the quality of the public realm, and provide opportunities for informal recreation and education. These spaces are found throughout the Borough and are addressed in further detail in the urban green environment and countryside chapters of this plan.

LOCAL PLAN APPROACH

6.5 Protection of the environment is a key objective of the Structure Plan Second Review. Its policies, set within the context of sustainable development, aim to ensure a proper balance between development needs and the amenity and environmental quality of urban areas, such as Cheltenham. Policies S.1, S.6 and S.7 set requirements for local authorities to safeguard and enhance environmental features and qualities, seek to protect wildlife habitats, encourage their enhancement and creation, and retain and provide new open spaces when considering proposals for new development. The Plan makes specific reference to the importance of open spaces within urban areas. Policy RE.2 promotes the provision of accessible open spaces in new residential development, and resists development on existing open spaces or playing fields.

6.6 The Council is proud of its parks, gardens and other green spaces and features. In recognition of this, the Council does not wish to see their loss through development, or their deterioration through poor management and lack of resources and funding. The Council will seek to protect existing open spaces within the town, enhance and improve their management to provide improved facilities for recreation and nature conservation, and provide new green features where appropriate. The Council will also encourage others to undertake the same.

THE VALUE OF GREEN SPACE

6.7 Green space is undeveloped land, not necessarily provided for formal recreation or public amenity, which makes a positive visual and environmental contribution to the town. Green space in the urban environment occurs in a variety of forms:

- public parks and ornamental gardens associated with, and intrinsic to, the setting and form of Cheltenham;
 - grounds of large houses, institutions, commercial and educational properties;
 - public and private playing fields;
 - incidental open spaces associated with the layout of planned housing (and industrial) estates;
 - children's play space in residential areas;
 - allotments;
 - private gardens; and
- various other open spaces, including land incidental to the laying out of roads, footpaths and cycleways.

6.8 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.

6.15 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.

Wildlife value

6.16 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.

Private green space

6.23 A considerable amount of green space is owned privately, in the form of playing fields and the grounds and gardens of commercial, educational and domestic property. The value of such green spaces to the town can equal that which is publicly owned. Unfortunately such green space is often considered by owners to be a valuable resource; a financial resource which may be realised through development, or an opportunity to expand existing premises or provide better facilities such as car parking. Developments of this nature can be to the DETRIMENT of the townscape and environmental value of green space.

PRIVATE GREEN SPACE Objectives O12 and O18

The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town WILL NOT BE PERMITTED.

2 Coronation Flats
Oak Avenue
Charlton Kings Cheltenham
Gloucestershire
GL52 6JF

Comments: 12th September 2017

The flooding risk in this area is already unacceptably high. Beaufort Road (below Oakhurst Rise) becomes a river, which pours straight down to Coronation Flats at the junction of Oak Avenue and Charlton Court Road. Last June, during a storm of fairly average strength, Coronation Flats flooded, filling the lobby with water and turning the gardens into rivers. Water breached our (new) bathroom and my sons bedroom. The council, when contacted, admitted that the 'drains could not cope' with heavy rain. Additional housing will only add to this burden and risk!

Along with this, building on a greenfield site when recent applications to build on a brownfield site is illogical. Especially as the area is a habitat for protected oak trees, hedgerows and many animal species.

Traffic is already constant around the narrow roads of Ewens Farm and surrounding roads and all roads are lined with parked cars. Walking anywhere with a young child already requires constant vigilance.

10 Robinia Close
Cheltenham
Gloucestershire
GL53 8PR

Comments: 12th September 2017

I would like to add my objections to this proposed development. This is an overdevelopment of much needed green space. Its location would mean significant extra traffic movements in the vicinity, and congestion at peak times. The proposed access is quite unsuitable for this number of additional houses.

The existing pressure on school and health services is already well known locally; this cannot help.

35 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire

GL52 6JN

Comments: 11th September 2017

I am really concerned about this planning application and the effect it will have on local infrastructure, particularly traffic. Ewens Farm is already used as a rat run for people travelling from London Road to Hales Road. Where we live is at the bottom of Churchill Road close to the junction of Haywards Road. We already suffer with traffic in both directions (the rest of the estate is one way) and as people enter Churchill Drive they speed up to go up the hill, add to this another 200 cars going up and down the situation will be intolerable. I am also concerned about the safety of pedestrians particularly as the route down Churchill Drive and along Haywards Road crossing Churchill Drive is taken by many children walking to Holy Apostles School and also for children walking to Balcarras. It is already dangerous to cross Churchill Drive during rush hour, but add at least another 200 cars a day and an accident will occur undoubtedly.

. Local Doctors and schools are already at capacity, it is difficult to get a doctors appointment and I can't see how these facilities will cope with the increase in numbers wishing to use their services.

To build 100 dwellings with only one access in and out, into an estate that is already used as a rat run is ridiculous.

112 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NX

Comments: 11th September 2017

I object to this development for the following reasons:

- 1) Loss of green fields used by the local community for cross country races and the annual bonfire that raises funds for local charities.
- 2) Loss of numerous trees and home to wildlife.
- 3) Increased traffic to an already congested area.

The Willows
Ham Square
Cheltenham
Gloucestershire
GL52 6NF

Comments: 11th September 2017

We strongly object to this application to build 100 houses on this land. It would be a huge loss to St Edwards Prep School, as it is used regularly for nature activities & outdoor education. It is also used by all schools in Cheltenham for cross country events.

Paving over this field will cause issues with flooding, the proposed access into Oakhurst Rise is totally unsuitable as it is a very steep cul de sac & the surrounding roads will not be able to cope with the extra 200 plus cars daily, adding to the gridlock at Sixways.

The field is highly visible from Charlton Kings & building on it will change the landscape forever. It is a natural environment used as a haven for wildlife with several protected trees.

We urge you to consider our objection and reject this application to preserve this natural environment for others to enjoy.

Tall Timbers
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 12th September 2017

I strongly object to the application for a number of different reasons:

- 1) unsuitable access and increased traffic: the roads surround ewens farm and oakhurst are already crowded and dangerous hence the 20mph speed limit. A higher volume of traffic through this area is not suitable or safe especially for the high number of cyclists and children who use the route to get to the local schools.
- 2) the effects to the environment. The area proposed for development is a large field which homes lots of wildlife including newts, bats and badgers and also contains protected trees.
- 3) the unfactual inaccurate documents supplied by the developers. There are many errors and manipulative inaccuracies among the papers supplied. I ask the council to fully investigate all documents at the cost of the developers and get an independent view on all documents supplied. I believe that the fact that the so called 'tree specialist' can't tell the difference between an oak and sycamore tree says it all.
- 4) the increase in flood risk. As a local resident we were affected by the local flooding in Cheltenham. The field holds a huge quantity of water when there is heavy rain and helps reduce this risk.

Comments: 4th March 2018

Firstly can someone please explain why the dates of the documents have been changed. The documents posted on the 9th February have been changed to 3rd January. I do hope this is just a mistake and be corrected rather than a blatant example of corruption within the planning team.

I'd like to reiterate my strong objection to this plan. The new documents show no evidence of improvements and no consideration of previous objections. This site would impose a huge flooding risk to current housing and I strongly advise the planning team to walk the field this week and realise how waterlogged it is. I'd also like to point out that the new documents state blatant lies, such as distance to the shops and time taken to walk to the shops and other local amenities. I do hope the council pay for an impartial travel plan that will Show the true extent of the impact of this site.

Comments: 4th May 2018

I'd like to make further objections to the plan.

The traffic survey is inadequate and I'd like to dispute the numbers given. If the planning team are even going to consider this plan they should pay for an impartial survey that will show the true impact on the local roads. The plan also continues to fail to mention the steepness of the one accessory road to the site. I'd also like to question why Boo Homes are also mentioned within reports. Are they also involved in the application?

29 Charlton Close
Cheltenham
Gloucestershire

GL53 8DH

Comments: 11th September 2017

We are the owners of Dalswinton, Birchley Road, Battledown GL52 6NY. We strongly object to the above application and our main reasons are as follows:

1. Loss of green field site

Currently the site is an attractive green field area with ancient hedgerows and mature well established trees. It is home to wildlife including badgers, bats, deer and many species of bird. It surrounds St Edwards School and is used by the school as well as being used by the wider community eg on bonfire night. All this will be lost if the development goes ahead.

We agree with previous objectors who have pointed out that the proposed development is contrary to Charlton Kings Parish Plan. The Plan, published in April 2017, states that " a clear consensus emerged that development on open land and green spaces should not be allowed" (p8) and that "There was preference to avoid building on 'green' sites of any description, favouring future development on brownfield/waste or infill land" (p9).

Thus the development would be contrary to this conclusion clearly expressed by the parish council and local residents of Charlton Kings.

2. Road access

The proposed access along Oakhust Rise is totally unsuitable. This road is a narrow, steep cul-de-sac and the gradient and narrowness of this road make vehicular access to a further 100 houses completely unsuitable. With 100 houses, there are likely to be 200 cars at the least and there would be complete chaos, particularly in snowy/icy weather.

3. Increased traffic

The development will inevitably increase traffic along Ewens Road, Beaufort Road and of course Hales Road. Hales Road is often already at a standstill with traffic queueing for long distances up to the traffic lights many times of day, particularly when people are travelling to and from work and during the school run.

We understand that a recent planning application for the brown field 'Tim Fry site' in Battledown Industrial Estate was refused due to increased traffic concerns, therefore this application should be similarly refused.

4. Increased Flood Risk

The majority of the 10 acre development site will of course be covered in impermeable material leading to an increased flood risk.

5. Visual Impact

The proposed development will be a blight on the landscape being visible from many places around Cheltenham, including Leckhampton Hill and the Cotswold Way at Lineover Wood. This will be exacerbated by the placing of the tallest (2 and 2 ½ storey) buildings on the highest point of the site. The development is not in keeping with the local area. The houses in Battledown Estate that border the area are on half acre plots so a high density development in the adjacent field is not in keeping.

6. Lack of amenities

There would be a huge impact on the Balcarras School catchment area; in time there could well be 150/200 children applying for a place at this school which is already over-subscribed.

With respect to GP places, it is already very difficult to get an appointment at Sixways Doctors surgery: there is usually a wait of 3 weeks for a standard appointment.

For the above reasons, we strongly object to the proposed development.

Wadleys Farm
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 26th October 2017
Letter attached.

1 Moorend Glade
Cheltenham
Gloucestershire
GL53 9AT

Comments: 12th September 2017

I object to this development. The local schools are already over subscribed, the wildlife and trees in the field should not be disturbed. Flooding risk will increase and traffic congestion will be even worse than it is now. This field is used for community events and children regularly use this field for sporting activities.

364 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AF

Comments: 14th September 2017

- loss of green space
- loss of cross country venue
- Olympic legacy seems to have been forgotten
- echo the feelings of the local schools objections

NO ADDRESS GIVEN

Comments: 26th September 2017

To whom it DOES concern

The proposed housing development "off oakhurst rise" is not acceptable.

Tearing down trees that have grown on these lands for hundreds of years, not acceptable!

The planning of entrance and exit is not acceptable and there is no way to make the access acceptable!

I wholeheartedly object to the plan, and any further plan, to build on this site!

NO ADDRESS GIVEN

Comments: 26th September 2017

I gather there are extensive plans to build 100 new houses on the field between Oakhurst Rise and Ashley Road and would like to express my concerns about the plans. This seems a large number of houses for the space the access to which as I understand it would be problematic for new and existing local residents. I am concerned also about the loss of natural habitat including for protected species and impact on local amenities if the area were to be developed as proposed. Also at present the field hosts the Charlton Kings fireworks night which is a wonderful community event and various sporting events which benefit the wider community. I gather there were previous plans to develop the site which were rejected due among other reasons to the risk of flooding. Surely this risk still stands?

Many thanks

3 Christchurch Road
Cheltenham
Gloucestershire
GL50 2NY

Comments: 11th September 2017

As a child I recall - not always favourably - my Cross Country days and being lucky enough to enjoy the facility. This is where most people will associate their Cross Country Days with.

My daughter now uses this site competing in the regular Schools Cross Country events, and joined Cheltenham & Country Harriers as a result of her enjoyment in this sport.

These are wonderful events and this is renowned as a tough course, but central to the challenge. Where else offers an equally spacious training facility for a large number of people, with the challenge of the hill for endurance? The course here is renowned!

We have limited green space in Cheltenham now, and this site is important not just for athletics but for the natural wildlife that inhabits it. Many top sportsmen cite their 'grass roots' as where it all started. We need to preserve sites such as the St Edwards site for the future health and environment of our children, and theirs.

We also frequent the annual fireworks display each year which caters for hundreds of locals too, in a very safe environment for families.

1 Langton Grove Road
Cheltenham
Gloucestershire
GL52 6JA

Comments: 8th September 2017

I object to the scale of this proposal - though not to development in our locality per se:

- the local roads into and out of the proposed development seem far too constrained and busy already to cope with the additional traffic likely from 100+ 2, 3 & 4 bedroom houses. There is no easy way for this significant extra daily traffic to be absorbed or to access either London Road (A40) or Hale's Road. I feel the traffic report is somewhat disingenuous in glossing over this. These will be family homes sold mainly to relatively affluent young couples or families who will be busy and active, as families are, by car!
- I do not believe local facilities can easily accommodate this many extra families and houses. Local schools are already very, very busy. The car park at Sixways Surgery and shops is already regularly full. The Surgery itself is already exceptionally busy. I

understand the ambitions of the developers but, really, can a development of this size be sensibly accommodated within local infrastructure as built?

- I would like to see as part of this application much better assessment of the potential to ask the developer to help improve and maintain the QE2 playing fields. Or the small playing field on Oak Avenue. Both are relatively poorly equipped, only marginally used and averagely maintained relative to other playing fields in the area (Beeches, Naunton etc). If this does go ahead then there is an opportunity here to upgrade one of the historically more poorly equipped parks locally for such facilities.

I can't help feeling that real, irreversible, problems (especially traffic and infrastructure) will be left for local residents if this development goes ahead as planned. It will sit as an 'island' development in our community and add to the pressure on local services. The developer will be long gone, the new residents unaware of how things were before and the rest of us left rueing that more was not demanded of this substantial prospective development.

25 Parkwood Grove
Cheltenham
Gloucestershire
GL53 9JW

Comments: 11th September 2017

I strongly object to this planning application.

There is insufficient school/GP to cope with 100 houses being built. The area is buzzing with wildlife and very old and protected trees.

The access would create such traffic chaos for residents of the surrounding area.

21 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JN

Comments: 11th September 2017

I object to this development for several reasons:

1. The loss of green space enjoyed by the community
2. The environmental impact of loss of green space
3. The increase in traffic through a quiet residential area
4. The pressure on local schools and amenities

165 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 11th September 2017

Serious loss of amenity to the residents of Oakhurst Drive (I defy anyone to prove otherwise).

Loss of valuable wildlife habitat.

Increased traffic congestion in the area and increased pressure on the local schools and doctors.

32 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AH

Comments: 9th April 2018

I would like to object to this development on the grounds of an unsuitable site for the logistics of building these 50/84/100/150 homes. All of the objections that I have read have put their points of view much better than I could. I agree with all the reasons for their objections.

This bit of land sounds like it is another case of filling in the green spaces in and around Charlton Kings for profit. For example building five houses in the garden of a house in Horsefair Street in a Conservation area.

I have read parts of the report by Cotswold Transport Planning - William Morrison (Cheltenham) Ltd, Transport Assessment August 2017. I have tried to understand such a detailed Transport Assessment. When it comes to the development traffic to and from this site and the routes to be used, this is when I also have an objection.

At the moment residents in Copt Elm Road have been subjected to HGV earth moving lorries from a development by Charles Church at the old GCHQ site via Greenway Lane - Copt Elm Road - A435. I have no idea where the lorries go from there. I have been told by a Charles Church representative, this transportation of earth should finish by the end of April 2018. HGV lorries sometimes as frequent as one every 5 minutes. The road surface in Copt Elm is showing signs of cracking and also in places of sinking. This is not entirely due to these vehicles but an accumulation of heavy traffic and the bad weather.

I also understand that the Lilley Brook Golf Club have permission to to move 150,000 tonnes of earth using HGV lorries for three years, 5 days a week. Full HGV lorries will use a northbound direction using the A435 to the Lilley Brook Golf Club. Empty HGV lorries are possibly using a southbound direction towards the town centre. I certainly hope this traffic is not going to use Copt Elm Road again.

My point is there is going to be a lot of HGV vehicles in and around this area at the same time.

When these transport assessment reports are made, they seem to relate to the one development site. But there does not seem to be any reference to other developments taking place at the same time in the same areas and the problems that may occur.

I guess that is a committee decision.

6 Pine Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JR

Comments: 8th September 2017

I strongly object to this planning application. I have lived on Ewens Farm estate for over 40 years and have seen the increase in the use of the estate as a short cut for vehicles, both from Hales Road to the London Road, as well as vehicles from both the Cirencester and London Roads to Hales Road. Even with the construction of speed bumps, also making the estate in a one way system, this has not deterred but increased the amount of vehicles using the estate.

I believe that with the amount of houses being proposed and that the majority of these houses will have 2 cars per household, the increase of traffic in particular, will put a considerable strain on both Beaufort Road residents and in particular Ewens Road residents, as this is the only road that can be used for access to this development.

The use of public transport is going to be minimal, due to the fact that if you have either bags of shopping or small children walking or in pushchairs, you would not want to have to negotiate the significant gradients of Beaufort or Ewens Roads, then to have to further face the increased gradient of Oakhurst Rise!

The impact on local schools and doctors would also be impossible for them to accommodate, as they are already struggling with the number of new developments in the Charlton Kings area. This development would take away an area of natural beauty which supports an abundance of wildlife, which I have been fortunate to see over the years. It would also be taking away the course country course, which has been used by schools in the Gloucestershire area for a number of years.

There would also be a an impact on houses in the immediate area, of surface water which would be produced by this development, as the soil in the area is solid clay, so when there are heavy storms, water already drains into the Queen Elizabeth playing fields and this would only be made worse.

I would strongly request that the planning committee reject this application on the same grounds as they rejected the Tim Fry proposal in King Alfred Way and also on the impact of Ewens Farm and its surrounding residents.

78 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 5th October 2017

I think that this application would have an adverse effect on the local skyline as the proposed buildings are significantly taller than the current ones.

Access to the proposed buildings is inadequate to cope with the increase in traffic.

There is also a flood risk as historically the area has been subject to flooding.

Additionally, the proposed buildings would reduce the biodiversity of the area including the destruction of a number of protected ancient trees and hedgerows. This would have an adverse affect on wildlife in the area.

In view of these various points, I think that this proposal should be rejected.

51 Sherborne Street
Cheltenham
Gloucestershire
GL52 2JY

Comments: 2nd May 2018

I don't need to repeat the concerns made by other comments.

My objection is that with already existing traffic congestion to get across the town centre at both the Town Hall and the Brewery complex on Tewkesbury Road another potential 200 vehicles at peak times will have a high impact on back roads used to avoid main routes through St Luke's and St Paul's areas.

Also I highly object to the term affordable when it comes to planning applications. What do they define as affordable, under £100,000 (3.5 x national average salary)?

We have councils under funded by national government without adequate maintenance to sustain existing roads surfaces and the planning office is frequently under a barrage of pressure to build more homes.

Zetland House
25 Noverton Lane
Prestbury Cheltenham
Gloucestershire
GL52 5DD

Comments: 12th September 2017

I cannot support planning that takes away a beautiful area of land used by the whole community for the annual St Edward's fireworks and bonfire, and more importantly used by so many children in the whole Cheltenham area as part of the cross country course. My eldest son's passion for running started in that field.

Wadleys Farm
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 29th September 2017

Letter attached.

32 Brookway Road
Charlton Kings
Cheltenham
GL53 8HD

Comments: 1st March 2018

Letter attached.

12 Malvern Street
Cheltenham
Gloucestershire
GL51 9DG

Comments: 18th September 2017

Letter attached.

1 High Bank
Shipton Oliffe

Cheltenham
GL54 4JE

Comments: 18th September 2017
Letter attached.

126 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 18th September 2017
Letter attached.

Flat 1
67 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JG

Comments: 18th September 2017
Letter attached.

5 School Mead
Cheltenham
Gloucestershire
GL51 8AD

Comments: 18th September 2017
Letter attached.

6 Deep Street
Prestbury
Cheltenham
Gloucestershire
GL52 3AN

Comments: 18th September 2017
Letter attached.

15 Battledown Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RD

Comments: 18th September 2017
Letter attached.

14 Chatsworth Drive
Cheltenham
Gloucestershire
GL53 0AG

Comments: 18th September 2017
Letter attached.

1 High Bank
Shipton Oliffe
Gloucestershire
GL54 4JE

Comments: 18th September 2017
Letter attached.

11 Faringdon Road
Cheltenham
Gloucestershire
GL51 6NZ

Comments: 18th September 2017
Letter attached.

8 Chase Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YU

Comments: 18th September 2017
Letter attached.

Pickering House
Orchard Road
Winchcombe
GL54 5QB

Comments: 18th September 2017
Letter attached.

20 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JJ

Comments: 18th September 2017
Letter attached.

11 Appleton Way

Hucclecote
Gloucestershire
GL3 3RP

Comments: 18th September 2017
Letter available to view in Documents tab.

48 Raleigh Close
Churchdown
GL3 1NT

Comments: 18th September 2017
Letter attached.

78 Jacobs Piece
Fairford
GL7 4FJ

Comments: 18th September 2017
Letter attached.

31 Bafford Lane
Cheltenham
Gloucestershire
GL53 8DN

Comments: 7th September 2017
We wish to register our formal objection to the above planning application for up to 100 dwellings on the following grounds:-

The location identified within this outline application is a significant and attractive part of Charlton Kings and as a hillside site is visible from numerous areas of Cheltenham. Greenfield locations such as this within Cheltenham not only enhance the quality of life for nearby residents but those who live and work in the Borough. Importantly, the site is bordered by a neighbouring primary school who use this valuable open space to educate children as to the importance of protecting the natural environment. This is also a notable civic amenity. It is used throughout the Winter by numerous primary and secondary schools not only from Cheltenham but beyond as part of school cross country competitions. I recall using the space on numerous occasions over 40 years ago and importantly it is still used today in this way. It would be shameful to lose this valuable green open space that has been enjoyed by generations and should continue to be used by our own children now and in the future. To undertake any form of development in this location significantly impacts on the loss of local character for the reasons that are also outlined above. I am also sighted on the fact that there are listed buildings nearby where it is clearly desirable to maintain both their visual setting that enhances the architectural importance in Cheltenham. This should not be invaded by any unwelcome development at this location and as outlined within this planning proposal.

The road infrastructure near this site is already operating beyond capacity. The main London Road junction, part of the A40 and one that that will have to be used by any new residents is already operating beyond capacity. Road users near to this location, particularly exiting from Ewens Farm/Charlton Court regularly experience queuing trying to enter the London Road. The ability to turn right onto this main road is virtually non-existent during busy periods and this will add to frustration amongst car drivers and bring with it an associated danger to pedestrians crossing at this location. The addition of what is anticipated to be in excess of between 240 - 270

cars is simply untenable for the surrounding road infrastructure, particularly where the main entry points are suggested to be Oakhurst Rise. There are no other viable entry and exit points for the proposed developments and the impact upon the existing road network is simply unworkable. The impact of more vehicles onto Oakhurst Rise and Beaufort Roads cannot be acceptable given that these are limited access residential roads. There is an obvious and inherent danger that will not only be posed to residents of these roads but also to pedestrians nearby where the addition of what is likely to be many more vehicles poses obvious dangers. Importantly, a large number of school children walk to St Edwards School, Balcarras and Charlton Kings Primary schools who will be exposed to more dangers posed the increase in vehicle traffic arising from this proposal.

I would add that the proposed travel plan does not withstand scrutiny for a location that is and will remain reliant upon vehicular transport. I recognise that this is simply an attempt to meet Planning requirements, in a location that is poorly served by public transport. The cost of the housing will mean that those who work and travel from this proposed location are highly unlikely to work within a workable cycle or walking distance and where difficulties associated with public transport would not make this a viable option, therefore it should be anticipated that single occupancy car journeys will be the norm for this location for those travelling to and from work. It is my understanding that this is contrary to guidance.

My final concern relates to St Edwards school and the surrounding properties. I have already outlined the loss that such an amenity would have upon the school and its children. The potential impact upon the school is obvious, but of concern to parents will be the loss of privacy for the school. The Kindergarten and its playground stretches to the boundary of the proposal. This will clearly impact upon children at the location and potentially compromises the safety of young people surrounded by new dwellings. This is in addition to the privacy currently afforded to houses surrounding the proposal. The substantial loss of such privacy and invasion of visual space to nearby residents whose quality of life will no doubt be affected by this proposal is surely unacceptable.

In conclusion, we would ask that this totally unsuitable proposal is rejected on the above grounds.

Ash Tree House
Birchley Road
Cheltenham
Gloucestershire
GL52 6NY

Comments: 9th September 2017

I strongly object to this planning application.

A previous planning application on the same site, albeit for 'only' 3 acres of development not the full 10 acres was rejected on 20 December 1984 due to;

"Reasons for refusal included the loss of trees, the exacerbation of existing flooding problems, and the inability of the surrounding roads to cope with anticipated amount of traffic."

Source. Cheltenham Borough Council Borough Architect and Planning Officer.

This was the view 30+ years ago and car ownership / traffic volumes have significantly increased since. The local infrastructure and current road system around the A40 London Road & Hales Road traffic lights is already choked at peak periods and is simply inadequate for the existing number of dwellings, let alone any increase by a further 100 properties. The detailed objection from 'Tall Timbers' posted on the web site (1 Sept) provides a comprehensive and expert opinion in this matter.

We also fully agree with all of the numerous comments made to date regarding the increased flooding risk, increased pressure on already stretched local resources, and irreversible damage to the wildlife, trees, hedgerows and meadow.

I would be grateful if the council would take my objections into consideration when deciding this application and it is respectfully requested that planning permission for the above development be refused.

Comments: 3rd March 2018

I wish to reiterate my strong objection to this planning application having now reviewed the additional materials.

The new documentation does not resolve any of the issues previously recorded in many of the comments submitted, and it is therefore respectfully requested that planning permission for the above development be refused.

Comments: 13th May 2018

Thank you for your letter of 30 April 2018 confirming the further revisions to the above application. I have reviewed the new documents and I can confirm that my previous objection and reasons for such objection to this planning application remain.

The new documentation does not resolve any of the issues previously recorded in many of the comments already submitted - the planned scale of development remains completely inappropriate for this site, and in my opinion the nominal reduction to 91 dwellings and increased 'affordable housing' provisions are not a material changes. Access to the proposed site is very restrictive, with a steep aspect to the approach and narrow roads that are not suitable for such a development. The site is located close to the AONB and is an extremely valuable resource for the school, local community and wildlife.

Further, there are specific concerns and a significant impact on the planned development in the proximity of trees - T3 & T8 on the Northern boundary with regards to the TPO's and RPA's that have been based on guidance of BS5837 (4.6.1), whereby the maximum of 15m radius from the tree stem is being used. However, the Natural England and the Forestry Commission report published in January 2018 which recommends that "for veteran trees a buffer zone of at least 15 times larger than the stem diameter or 5m beyond the crown edge if that is greater" should be used.

In addition, the councils own Tree Officer stated on 8 Mar 2018;

"Veteran trees have not been classified as per BS5837 (2012) recommendation where veteran trees should have an automatic A3 classification. Similarly, their Root Protection Areas do not conform to the Woodland Trust and Ancient Tree Forum recommended areas equivalent to an area described as a circle of 15 (as opposed to 12 in BS5837 (2012)) times the diameter of a tree or 5 metres from the edge of the canopy. Indeed, such recommendation of no hard surfacing within BS 5837 (2012) para 7.4 recommends that no construction occurs within an RPA."

With regards to the above concerns (and that of many others on the portal) it is respectfully requested that planning permission for the above development be refused.

33 Great Western Terrace
Cheltenham
Gloucestershire
GL50 3QX

Comments: 12th September 2017

I object to the development on the grounds that the loss of the green fields and unique habitat will impoverish cheltenham for future generations. My family has enjoyed the yearly bonfire at the

school which is a wonderful community event. The importance of unspoilt meadow lands for wildlife cannot be underestimated; bats, hedgehogs, toads, slow worms etc. The birds will not be able to nest in peace once noise and cat populations rise. In the Waitrose area there has been a marked decline in bird diversity and rise in rat population which will come to this field if built on. The roads will not cope with the increased traffic of 100 houses. The loss of the fields for drainage will cause flash flooding lower down the hill. The proposed development is too dense and enormous in scale and is completely out of keeping with anything nearby.

Hillview House
Oakley Road
Cheltenham
Gloucestershire
GL52 6NZ

Comments: 15th October 2017

I would like to object for many of the reasons already listed, but in particular the increase in traffic that will be generated on Hales Rd. If a car is turning right to make way to this site it quite often leads to a stand still waiting for the traffic on the opposite side to give way in rush hour. This will be made considerably worse by the large increase in cars turning off Hales Rd to make way to this development if approved. I feel more strongly for the immediate neighbours and the school and would hope that the application is rejected.

155 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 9th September 2017

I NOTE THE COMMENTS BELOW FROM COUNTY ARCHAEOLOGY

County Archaeology

Comment Date: Tue 22 Aug 2017

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

I advise that I have checked the proposed development area against the County Historic Environment Record: the wider locality is known to contain extensive archaeological remains relating to settlement and activity of the prehistoric and Roman periods. I therefore have a concern that significant archaeological remains may be present within the application site, and that these may be adversely affected by construction ground works required for this scheme.

I note that this planning application is supported by a report on an archaeological desk-based assessment (CgMs Consulting, November 2016), supplemented by an archaeological statement (CgMs Consulting, February 2017) regarding a 19th century ice house located in the eastern part of the application site.

In addition, the application site has been the subject of a geophysical survey (SUMO, February 2017). This survey detected ground anomalies which may represent the archaeological remains of back-filled pits. While no other ground anomalies indicative of archaeology were detected, large areas were found to be covered by magnetic debris which would obscure underlying archaeological remains.

In considering the results of the geophysical survey it should also be borne in mind that the survey will not have detected all potential archaeological remains present on this site, since there is a range of smaller archaeological features - such as pits, post-settings linear gullies and graves - which would not be detectable at the survey intervals used for the work. For that reason it is in my view imperative that the results of the geophysical survey should be tested further.

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

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

ALTHOUGH THIS OBSERVATION IS NOT MADE IN AN OFFICIAL CAPACITY AND IS PERSONAL BECAUSE I LIVE IN CHARLTON KINGS, I AM A HISTORIC PROPERTY STEWARD WITH ENGLISH HERITAGE AND WOULD ASK THAT HISTORIC ENGLAND, IF THEY HAVENT BEEN ALREADY, ARE CONSULTED ON THIS APPLICATION.

16 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 11th September 2017

On grounds of my concern for the safety of residents in the vicinity of the Ewens Park estate due to the impact of increased traffic throughput as a direct result of building the proposed one hundred houses off Oakhurst Rise, I resoundingly object to the fore mentioned proposal. The one-way system around the Ewens Farm estate on a regular basis forces cars to travel in opposing directions in the only available road lane. It is highly likely that the proposed increase in housing will only exacerbate a current issue. The frankly outrageous contention of the builders that residents to the new estate will not use automobiles to climb the steep incline to the proposed housing, whilst the local public transport system in the area is almost negligible is an insult to the intelligence of all who read the proposal.

I thank you for considering my concerns.

1A Copt Elm Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AD

Comments: 11th September 2017

I object.

32 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 11th September 2017

I strongly object to this planning application for the following reasons:-

- Loss of privacy - we will be overlooked by the development.
- Pressure of traffic throughout the Ewens farm estate and local access roads. These roads are already very busy and frankly dangerous at times, especially during rush hour. The 20mph limit is rarely observed by motorists using it as a rat run from London Road/Hales Road and many cars are parked on the roadsides. It is already hazardous and unpleasant to walk on these streets at busy times.
- The access road in Oakhurst Rise is a concern due to blind bends and steep gradient. The approach is steep, narrow and with limited visibility. It would be dangerous to have an additional 100+ cars using it as an access road. Also, with a very steep gradient, these roads are unusable during icy weather. They are not gritted and are unsafe and unusable in icy conditions.
- The density of the proposed development is not in keeping with the area.
- Risk of flooding - the present infrastructure will not cope with the additional runoff water from the site. There are springs and documented flood problems on the site and adjacent to the site. The application does not take into consideration the significant flooding in the surrounding areas. Drains in the area already struggle to cope with heavy rain. I am concerned that our property may flood if this area is built on.
- Loss of wildlife habitat, hedgerows and trees. Badger sets may be extensive. Deer also inhabit the area, together with bats, woodpeckers and owls
- Loss of a rich biodiverse site, green space and sports amenity to the community Charlton Kings.
- The development will be detrimental to the visual impact of the town and an unsightly blot on the landscape. The site is visible for miles around.
- The site is not included in the strategic plan of housing development for Cheltenham and therefore should not be built on.

Tor
Ashley Road
Cheltenham
Gloucestershire
GL52 6NS

Comments: 12th September 2017

I strongly object to the building behind adjacent Oakhurst Rise.

When I first moved in we had terrible flooding that destroyed the whole bottom floor of the house. With the amount of building being proposed this is likely to increase the chancing of flooding if the correct drainage is not used.

It will destroy the natural habitat that is the home to many species of animals. I often see deer, rabbit and woodpeckers in the garden that have come from the field behind.

There will be a loss of privacy as the windows from the back of the house will look straight into the windows of houses being built opposite.

19 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 11th September 2017

I OBJECT to this application on many grounds, the least of which being that it is not plan led, is not sustainable, and will remove a large cross-country course enjoyed by the whole town.

The applicant has not bothered to submit this site to the Borough's SHLAA process, which begs the question of why try to circumvent a process that all major developments should undergo. Is this to avoid scrutiny, especially over lack of affordable housing?

The plans are for a housing estate with few sustainable credentials, and only one small access through a steep cul-de-sac. The additional 248 cars, plus an unknown number of delivery vans, will cause local congestion and increase traffic hazards. The use of public transport, walking and cycling are poorly examined and accounted for.

Furthermore, the removal of over 1.76 ha of topsoil will reduce the catchment capacity to hold rainwater in its upper reaches. The potential detriment to downstream wards in the town is not assessed at all by the applicant.

Foul sewage appears to be underestimated, in a similar vein to that of vehicle movements.

The use of the site for recreational purposes has been enjoyed by the town for many years, both for inter-school cross-country running and firework displays. These proposals will remove these activities entirely, to the detriment of the town.

The application documents are full of factual errors, omissions, and conflicting statements, to the point that they are likely to mislead the public and Councils. If the public can easily pick these up, why can't professional officers do likewise and require revised full evidence?

55 Bafford Approach
Cheltenham
Gloucestershire
GL53 9JF

Comments: 13th September 2017

This development would result in increased traffic flow, in an already busy area, loss of natural habitat and loss of community recreational space therefore I object to this development.

33 Park Place
Cheltenham
Gloucestershire
GL50 2RE

Comments: 11th September 2017

I use the grounds of St Edwards on a very regular basis for schools cross country - it a great site for this as it provides a long enough space to run, a hill for endurance - all of which is getting harder and harder to find within the confines of Cheltenham.

We also visit the school for the fireworks every year which is a fabulous safe environment for such as event.

It would be a great shame to lose the fields not only for events that are held but the green space, the hedgerows, the insects and animals that are so crucial to our living environment.

The building is also going to impact on the surrounding roads, infrastructure and schools let along the noise and inconvenience to local members of the community.

We need to preserve our local green spaces, our schools and our educational fitness areas for our children into the future.

27 Churchill Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JN

Comments: 20th March 2018

I have concerns about the increase in traffic on Churchill Drive and Ewens Road that an additional 100 properties will generate.

I live on the junction of these two roads, my driveway is elevated and exiting it can be problematic at peak times due to traffic coming from three directions. The kerbside is used for parking which further reduces visibility of traffic for all road users, and also restricts the road to a single lane which makes manoeuvring difficult. Increased traffic will make access to my property increasingly hazardous.

I have witnessed one accident directly outside my property and there have also been several near misses I have seen, these have not only involved just vehicles but also pedestrians as well. The latter is of particular concern as the neighbourhood is a key route to Holy Apostles School.

25 Longway Avenue
Cheltenham
Gloucestershire
GL53 9JH

Comments: 12th September 2017

I strongly object to this planning proposal based on the following reasons;

- Loss of community space
- Saturated local schools & doctor surgery
- Increased risk of flooding
- Inadequate road infrastructure
- Loss of community feel.
- Development of brown field Vs green space
- Loss of natural habitat

This is a community space that is enjoyed by thousands of people each year. It has significant use as a cross-country course for Gloucestershire schools, and as the site for the annual charity bonfire night, which has raised significant funds for charities over the years and not to mention the important learning resource for children that attend St Edwards School.

The local schools and doctor surgery are already saturated. Charlton Kings does not have the infrastructure to support an additional 100 homes. Large housing developments, which is what this is. Should be in the areas where schools have capacity/can expand or schools are scheduled to be built.

There are existing flooding issues. Any development on this land and the consequential ground and surface water drainage from this elevated site will exasperate this issue.

The road infrastructure cannot support this. The development of a further 100 homes in an already congested area with the increased air & noise pollution as a result is hard to comprehend. The nearby industrial estate and Ewens farm is constantly used as a rat run due to the traffic buildup along sixways/London road. The developer's concept that most people will walk or cycle is not attainable. As previously mentioned by a fellow objector an independent traffic survey is required, as the results presented on behalf of the developer are laughable.

Which brings me on to the Brown field site at Tim Fry Land rover. This was rejected, based on traffic flow, lack of affordable housing, and the increased demand for education and library resources. None of these issues have been resolved and therefore still valid reasons in rejecting this blot in our community.

The sites elevated position makes this space visible from a wide area, and changing this would be to the detriment to the community as well as visitors and tourists to the Town. This area boasts country side & greenery on its doorstep which would be diminished should this planning application be successful.

The bio biodiversity report makes no mention of the badgers and their established sett!. The report feels very biased towards that of the developers, why is there no mention of the badgers? This is an established sett, meaning that these badgers have lived here, within our community for many years. Badgers are protected and so are their setts (burrows) they live in. Under the Protection of Badgers Act 1992, in England and Wales.

The only good thing that this application has highlighted, is the true sense of community pride here in Charlton kings. A vision adopted by Cheltenham Borough council and its vision in making Cheltenham a place where "communities thrive"

I once again want to express my strongest objection to this planning proposal.

Rye House
12 Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 4th April 2018

Again a reduced planning application for 84 houses/16 flats has been submitted on the above site.

Although it is realised that more housing is needed in the U.K. this is not a sensible request. In Charlton Kings we have one secondary school, Balcarras, which is heavily oversubscribed, and because of its excellence it is known that people move here for a temporary period just to get their children a place.

Regardless of this, the numbers are increasing for places in all schools and unless a new school is built to serve CK/Leckhampton and surrounding areas, to cope with the new Redrow development, this really is impossible. The whole reason for a catchment area is so children can walk to school and not be driven/bus because they have to attend schools out of their area which is now happening frequently.

Apart from this the Sixways Doctors' clinic is relatively small and will not for much longer be able to cope with more residents in the area.

Oakhurst Rise is a quiet residential development, the access not being suitable for the number of new residents suggested. The London Road/A40 is already stretched to capacity much of the day with heavy traffic, with access to and from Ewens Farm causing congestion particularly with morning/evening traffic every day. This would of course impact substantially on access to and from this development.

4 Brook Vale
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JD

Comments: 8th September 2017

I wish to register my objections to this planning application. I could not be party to the increased potential of local flooding or an elevated possibility of road incidents and hope the planning committee feel likewise.

I witnessed the devastating floods in Brook Vale and Oak Avenue in 2007 and any development that reduces the absorbent hillside on Battledown can only enhance the likelihood of such reoccurrence in the future.

I, personally, have had 3 near misses on my bicycle in Oak Avenue due to on-street parking causing blind spots and a lack of awareness of the cycle contra-flow. Increased volumes of traffic and additional on-street parking in an already congested Ewens Farm Estate can only exacerbate the situation and possibly lead to collisions involving cyclists or pedestrians, both young and old, with potential life-changing effects.

To add to this, I object to yet another green, wildlife haven being lost as well as the addition of an unsightly blot on the Cheltenham skyline. And as for the access via Oakhurst Rise - what planet are they on?

46 School Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BD

Comments: 11th September 2017

The proposed development for 100 houses on land off Oakhurst Drive is inappropriate for various reasons so I object to this application.

Primarily, the impact on the adjacent school where the Kindergarten risks being overlooked, where an important green space currently used for Forest School, nature walks and cross country events (also used by the wider community) would be lost. The proposed site is populated by numerous established trees and hedgerows, which are home to an abundance of wildlife. This space is also used for the annual St Edward's Bonfire night event which has been enjoyed by many thousands over the years.

Secondly the impact on the local area where traffic is already congested, where local services such as schools and medical providers already struggle to cope with demand.

The proposed development on the nearby Tim Fry land was rejected due to reasons which are also relevant to this site.

This proposal should also be unanimously rejected.

The Hearne
12 Hearne Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8RD

Comments: 13th September 2017

I am writing to object strongly to the proposed development of 100 houses on the grounds of St Edward's School in Charlton's Kings.

Flood risk - the grassland and clay soil on the slopes of the proposed development act as a large soak away and a natural defence against flash flooding in areas down stream of this hillside site. Previous planning applications for developments on this land have been refused on the grounds of flood risk. The proposed development may also increase the risk of flash flooding from heavy rain into the St Edward's School buildings.

Inadequate traffic access - it is currently proposed that the development of 100 houses will have road access through the Ewens Farm Estate. The traffic flows at peak times will exacerbate delays on the London Road, thus increasing air pollution and reducing air quality for local residents in Charlton Kings. The Ewens Farm Estate has a 7.5 tonne vehicle weight limit, which would preclude the movement of heavy construction traffic to the site.

Loss of wildlife habitat for protected species including badgers, bats and newts.

Loss of amenity for school pupils across Cheltenham, who use the current site for sports activities, cross-country running, and nature studies.

Inappropriate loss of green space, visible from Charlton Kings and Leckhampton, when alternative brownfield sites are available for development.

Significant impact of 100 new homes on local school place availability and access to GP services.

12 Ewens Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JP

Comments: 8th September 2017

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

The proposed siting of the development is particularly ill-considered: the location is currently a green field site with a wide array of wildlife, including 7 species of bats, newts, deer & dozens of bird species, and the proposed development will destroy their natural habitat which includes cutting down a number of large, well established trees (included protected oak trees), ancient hedgerows and organic meadow.

The access to the site is via Ewens Road and Oakhurst Rise, the increased volume of traffic from the proposed development would overwhelm the existing infrastructure on the Ewens Farm Estate. All the roads feeding Oakhurst Rise are narrow and congested with on-street parking. Having lived on Ewens Road for almost 10 years we have raised concerns over the speed of the traffic in the area on numerous occasions. The road is currently in a 20mph and vehicles using the road as a short cut from Hales Road to the A40 are constantly going too fast up the road. With local families and dog walkers accessing the Queen Elizabeth Playing Field off Ewens Road there is already a high risk of accidents from the current traffic flow.

The other end of Ewens Road (at the junction where Churchill Drive meets King Alfred Way) is an accident hot spot due to the junction being placed on a corner where cars are often obstructing drivers' view.

Oakhurst Rise is a steep, quiet residential close accessed via a blind corner on Ewens Road and is often impassable in icy conditions during the winter months. The road is totally unsuitable as an access point for 100 new houses, let alone all the construction traffic that would be required initially.

The recent planning application for new houses to be built in brownfield Tim Fry area was rejected, one of the main reasons for this was due to impact on the local traffic. Prior to this another proposal to build 30 homes off Charlton Court Road was also rejected due to unacceptable traffic and the risk of flooding.

There are a number of listed buildings, including St Edwards School, that border the proposed site. The building of 100 houses at 23 homes per hectare will ruin the outlook and retract from the local character & quality of life for residents of this area.

The development would significantly increase the risk of flooding to neighbouring properties as 10 acres of currently permeable surface located at the top of the River Chelt catchment would be replaced by impermeable surfaces, resulting in large increase in the rain water running down the hills to houses below. As yet the developers have not shown a satisfactory solution to the problem of the increased run-off from the site.

There would also be increase pressure on local services, such as schools and doctors that are already over-subscribed. It will also be a big loss to St Edwards School who have been using this land as a cross country course for over 60 years. The houses will also overlook a kindergarten playground resulting in a loss of privacy & safety for the children (& surrounding properties).

I therefore wish to object to this planning application and I strongly urge the Council to refuse it, due to the unsuitability of the land which should be retained as a valued natural habitat.

Penn House
Tivoli Road
Cheltenham
Gloucestershire
GL50 2TF

Comments: 12th September 2017

All the other comments say it well enough - green areas for Cheltenham, enough pressure on schools and local amenities, increased traffic that is already horrendous etc.

All in all, this development should NOT go ahead if we are to preserve some of what Cheltenham was/is/should be in the future.

30 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JT

Comments: 12th September 2017

We object to the proposed development of 100 houses reference 17/00710/OUT.

The road we live on is already extremely busy and the surrounding roads simply would not cope with the additional traffic that the development would bring.

Woodlands
Oakley Road

Cheltenham
Gloucestershire
GL52 6PA

Comments: 7th September 2017

My strong objection to this application is based on the following grounds:

- this site is not listed for development by the parish or borough councils;
- the site provides a valuable green field amenity for many local activities which would be lost if the development were to go ahead;
- the site has extensive flora and fauna which would also be lost if the development were to go ahead;
- the development would significantly increase the risk of flooding to neighbouring properties as a large permeable surface would be replaced by impermeable surfaces;
- the access road would not be able to cope with the increased traffic flow and the exit onto London Road, which already is often jammed, would be difficult and dangerous;
- local facilities (schools, doctors, etc) would not be able to cope with the increased number of residents. They are already full and have no room to expand;
- many neighbours to the site would suffer from loss of privacy, increased noise, and other negative environmental effects;
- -It would be a tragedy to loose yet another green area to bricks and mortar in our beautiful town when there are so many brownfield sites available for development in the area;
- I would urge the Planning Committee to treat information provided by the developers with caution, as much of it is inaccurate, and listen to the wishes of the local residents.

Comments: 14th May 2018

I do hereby resubmit my objections (sent to you on 7th September 2017 see below) to the planning application referenced above. It is clear that my objections of September last year have been largely ignored.

please confirm by return email that my objections are received by you and that these objections will be considered and addressed in accordance with your legal obligations.

Ashley House
Ashley Road
Cheltenham
Gloucestershire
GL52 6QE

Comments: 11th September 2017

Following a review of the application documentation, including the mountain of common sense submitted by the unanimous dissenting voices of those who actually live in the surrounding area, we strongly object to this planning application.

Our objections centre on the following:

1. The site is zoned in Battledown on planning documentation (max 4.2 houses per hectare). The density of housing outside Charlton Kings has been used to justify a density in this

application of 23 houses per hectare - being 5 times the density of the local area build - thereby ignoring adequate consideration of the local setting and character.

2. Local amenity provision - National planning guidelines require sufficient community and social facilities to be provided. The application says nothing about oversubscribed local schools and medical practices.
3. Traffic - 100 houses will generate traffic to transform Oakhurst Rise from a quiet cul de sac to a very busy access route. Indeed, CBC have documented the inadequacy of the surrounding road system in previous smaller applications. Further, traffic surveys may not reflect the fact that residents in the proposed new development will be allocated places in schools miles away - requiring car transport in many casesand at common peak times daily.
4. Local amenity provision - National planning guidelines require sufficient community and social facilities to be provided. The application says nothing about currently oversubscribed local schools and medical practices.
5. Mature trees and ancient hedgerows are being sacrificed and protected species are at major risk. How does this square with the CBC planning policy that an environmentally significant impact from a private green space development is prohibited?
6. Flood risk - Smaller versions of this application have been repeatedly rejected on grounds of flood risk, drainage, access, visual impact, loss of local amenity and environmental impact. Nothing has changed here. Indeed, Battledown has many natural springs and the water table is renowned locally for its instability. Therefore, the proposed building on 10 acres of permeable green fields sited on top of the River Chelt catchment appears somewhat reckless without a much more detailed investigation of the run off problem.
7. Loss of visual amenity - the site is distinctive and if successful the application will change the landscape of Charlton Kings from green to built up urban. This impact on the townscape is in contradiction of planning policy GE2 which prohibits such development on private green space. It is interesting to note that the Landscape Architect for this application highlights as a material consideration the fact that the development would fundamentally change the character of the site, and would reduce landscape quality.

1 Water Lane
Cheltenham
Gloucestershire
GL52 6YD

Comments: 12th September 2017

I live off Glenfall Way in Charlton Kings and I am emailing to object as follows to the application to build 100 houses off Oakhurst Rise in the grounds of St Edwards School.

100 houses = at least 100 extra cars

100 houses = potentially 200 extra cars - most families that I know have at least 2 cars per household if not more as teenagers learn to drive.

100 houses = potentially an average of 150 extra cars.

Currently to drive into St Edwards School you do so off the London Road and exit via the private road entrance to the Battledown Estate onto Greenway Lane and this already causes huge bottle necks at school drop off and pick up.

Having timed the traffic lights it usually is roughly every 5 minutes at a minimum that no more than 5 cars Maximum get through these lights at any one time. The road there is very narrow and cars already park on it on the left hand side outside the houses which again can cause issues. Cars back on up way past the bend in the road.

So an average of 150 extra cars coming out of this entrance would be an average of 30 Traffic Light changes x 5 minutes therefore an additional 150 cars to get out at the traffic lights via Greenway Lane would be 150 minutes at a minimum. So over two hours...You do the sums for the more realistic scenario of an additional 200 cars plus.

If this new estate (for that is what it is and it will open the floodgates for further development if allowed) goes ahead, then there can be no access to or from it via Greenway Lane.

It is bad enough in the mornings in particular trying to get out of Glenfall Way - especially if trying to turn right up to Sixways without having the additional burden of extra cars from this proposed estate.

And as a Cheltonian don't get me started on the loss of green land and flood risk. Where will the people from these new homes go to the Drs etc? its bad enough getting appointments as it is. I always smile when I walk my dog out that way as it does feel like you are in the countryside and often see deer etc in the fields and know for a fact that they frequent many of the gardens on the Battledown Estate itself along with badgers etc. It is a real wildlife haven and public amenity and its loss would be detrimental to Cheltenham - not just those who live near it.

1 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JE

Comments: 12th September 2017

I wish to register my protest at the future building of 100 houses at St. Edwards field/ Oakhurst Rd. Site.

It would be a terrible mistake and one which could never be rectified.

Please I beg of you do not give planning permission

14 Chatsworth Drive
Cheltenham
Gloucestershire
GL53 0AG

Comments: 11th September 2017

Traffic in Charlton Kings is already horrendous - the impact of a further 200 vehicles in the area will not be good. There is far too much traffic already and if these kind of developments are allowed to go ahead it will not be long before Cheltenham is gridlocked. The affect on peoples journeys to work will be negative. Increased traffic also makes it very difficult for the emergency services to get to incidents as at peak times there is no space for the traffic to pull over and let them through. I object to the development on the grounds of severe traffic impact, in Oakhurst Rise particularly, but in the area generally.

High Grove
Greenway Lane
Charlton Kings Cheltenham
Gloucestershire
GL52 6LA

Comments: 12th May 2018

I have read the latest revision to this proposal (which reduces the number of dwellings to 91) and it seems to me little better than a rearrangement of the deckchairs on the Titanic. Perhaps one or two local householders will be pleased by the marginally reduced impact of the new proposal on

their properties, but for most other residents of Charlton Kings and Cheltenham, whose homes are not directly impacted, the new proposal still seems like a disastrous wreck in the making.

If the Planning Committee approve this proposal to turn lovely Battledown Hill into a concrete and masonry staircase, looming grotesquely over St Edwards Prep School, they will be remembered by future generations for vandalism of an extreme order. This magnificent, prominent green slope can be seen and enjoyed for miles around and it is one of those vital features which make Cheltenham such a beautiful town. To destroy it as this developer wishes would have an aesthetic effect on our town similar to that of the construction of the Eagle Tower in the late 60s. Our Planners are the successors not only of those who made the Eagle Tower mistake, but also of the brave and committed group who successfully opposed the building of 20-storey and 16-storey towers in Charlton Park earlier in the same decade. Cheltenham needs the same level of resolve now from our present Planning Committee. Battledown is far too important an asset to ruin for the sake of meeting housing targets.

5 The Old Marketplace
Andoversford
GL54 4AY

Comments: 13th September 2017

I object to the 17/00710/OUT planning application request. There must be some more appropriate brown field sites that could be developed rather than ruining green land. There are run down old buildings and old disused commercial properties that I feel would be more appropriately converted to new houses than land like this.

Glaramara
Ashley Road
Cheltenham
GL52 6PG

Comments: 13th September 2017

Objects.

Loss of local and regional amenity.

4 Church Street
Charlton Kings
Cheltenham
GL53 8AR

Comments: 13th September 2017

I wish to object to the planning application to build homes at Oakhurst Rise in Charlton Kings (planning ref 17/00710/OUT).

I am a local resident of Charlton Kings and I believe this development will damage our local community placing too much strain on an already fragile infrastructure (roads, schools, traffic, amenities, health etc), not to mention ruin our valuable green space, a well established schools/county cross country running facility, ancient trees and wildlife.

Please acknowledge receipt of this email. I tried to use your planning portal but it wasn't functioning correctly.

11 Oakhurst Rise

Cheltenham
Gloucestershire
GL52 6JU

Comments: 13th September 2017
Letter available to view in Documents Tab.

15 Oakhurst Rise
Cheltenham
Gloucestershire
GL52 6JU

Comments: 13th September 2017
Letter attached.

51 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NL

Comments: 13th September 2017
Letter attached.

9 Hamilton Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HN

Comments: 13th September 2017
Letter attached.

Balcarras School
East End Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QE

Comments: 13th September 2017
Letter attached.

Field House
Ashley Road
Cheltenham
Gloucestershire
GL52 6PH

Comments: 13th September 2017
Letter attached.

Comments: 5th March 2018

Letter attached.

Comments: 15th May 2018

Letter attached.

14 Ewens Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JP

Comments: 5th March 2018

We would like to express our concern about the proposed build at St Edwards School Fields. The fact that all access is only going to be through Oakhurst Rise, a narrow small, curving up hill road is insane, not only during construction (large , heavy traffic) but afterwards; 100 houses plus the equivalent vehicles (100 a day also), the infrastructure is NOT built to take this.

Chiltern Lodge
Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 5th March 2018

Letter attached.

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

Comments: 11th September 2017

I strongly object to development on this land for a number of reasons. We need to protect green spaces for future generations to enjoy. The site is enjoyed by many in the local community for bonfire night, cross country and of course the school children at St Edwards. The ancient trees and wildlife also deserve to be protected. Access is not sufficient for such a large number of houses and development on such a big scale presents a flood risk. Please protect our beautiful green spaces for future generations!

1 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JS

Comments: 11th September 2017

As a resident of Beaufort Road at the junction with Oakhurst Rise I strongly object to outline application that has been submitted.

This site is not listed for development by Cheltenham Borough Council and it provides a valuable green field amenity for many local activities which would be lost if the development were to go ahead including the annual fireworks event at St Edwards School, enjoyed by thousands of visitors.

Paragraph 109 of the NPPF confirms that the planning system should contribute to and enhance the natural and local environment generally including protecting and enhancing "valued landscapes" which may include landscapes outside of nationally protected landscapes.

Cheltenham Planning Policy GE 2; Private Green Space states "The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted." This site clearly makes a significant environmental contribution to the town with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. The site is also visible from the Cotswolds AONB and forms part of the setting of the AONB.

As 100 dwellings are proposed the proposed scale of development, at 23 homes per hectare, will affect the setting of the AONB through a change of use of land at a significant enough scale to cause harm to landscape character.

Access available to the site is grossly inadequate to support the significant volume of road traffic that would be generated by so many houses in this location. Oakhurst Rise is accessed by a sharp bend from Beaufort Road with a gradient steep enough to be difficult to pass when icy. This road will not be able to handle the extra few hundred car movements every day. While HGV traffic will also find access very difficult during construction causing further disturbance and inconvenience to local residents.

Beaufort Road and Ewens Road are used as rat runs for commuter traffic travelling from Hales Road to London Road. Despite traffic calming measures, a 20mph speed limit and on street parking, cars still travel at great speed on these roads. Adding further traffic to these roads with sensitive junctions will affect the safety of school children and dog walkers. A recent planning application for new houses to be built on brownfield site in 'Tim Fry' area was rejected, one of the main reasons for this was due to impact on the local traffic.

The proposed development makes no contribution to local services with local doctors and schools already stretched.

Counter to Cheltenham Borough Council policy there is no social housing proposed in this scheme.

3 Coxhorne Cottage
London Road
Charlton Kings Cheltenham
Gloucestershire
GL52 6UY

Comments: 11th September 2017

I strongly object to this proposal.

The proposed access to this site is narrow and incredibly steep. Access will be compromised at all times and the residents homes of Oakhurst rise will become the passing place for all traffic. This is not acceptable for the residents who chose to live in a quiet road. A minimum of two cars per household (200 cars passing through at least 2 times a day) is also not acceptable and would be dangerous especially in harsh weather. There should not be any additional traffic on that road it is not suitable.

Page 367

Charlton kings already has a traffic issue. Ewens Farm and the industrial estate is constantly used as a rat run to avoid the constant traffic jams on the London Road. The addition of any number of houses to that area will create massive issues especially during rush hour each day. The traffic survey that has been presented by the developers must be an error because everyday I sit in traffic. I requested that an independent traffic survey is done with more realistic results. The Brown field site at Tim Fry Landrover (which one of its points was rejected on the traffic flow going through) hasn't changed and would only increase the flow of traffic.

There are a number of houses at the top of Battledown, Oakhurst Rise, Charlton Court road which have and do suffer with flooding issues. Any removal of the ancient trees and hedgerow will open up issues regarding flooding. The trees help in the absorption of the rain water and removal of the trees will cause major issues. There is a reason that this land has never been developed. The queen Elizabeth field which lies between the brown field site (which was rejected and is much more suitable for housing) and the proposed site was once part of the Battledown Brick works. This was filled in to be used as a playing field but it was soon realised that the ground which is clay does not absorb rain water and this causes the field to become a lake. The removal of trees will only create more issues with flooding and subsidence.

The trees and hedgerow have TPO's on but it appears that the proposal will be removing the ancient hedgerow (which can be seen on a map from 1746) and a number of these trees are also marked on the map. The protection of the trees is essential. You cannot remove an ancient oak or sycamore and justify it by saying that an alternative shrub will be put in its place. Some of these trees can be identified on maps from 1746, 1840, 1880 etc. if they are removed they will not only change the landscape for which Cheltenham and the Cotswolds is renown for but they will open up and expose the whole area making the development stand out like a sore thumb. Once they are gone they are gone forever.

Part of the group of TPO'd trees in the centre of the site houses beneath its roots a Main, well established Badger sett which reaches for 50m x 20m or more. This sett has more than 20 entrances and ventilation holes, meaning that generations of badgers have lived there. This would also indicate that the badgers have potentially been there for 100 years or more. This sett in its elevated position is the perfect habitat for them. Badgers can tunnel up to 800m and it is likely that these tunnels reach across to the sub setts on the site. There will be a huge number of tunnels under this site because foxes also use the badgers homes with them. There is evidence of a sett in the hedgerow marked to be removed and another large sett that has not been acknowledged in the proposal is situated in and around the 'Icehouse'. Houses cannot be built round this area. The Badgers are protected and so are the setts (burrows) they live in. Under the Protection of Badgers Act 1992, in England and Wales.

The trees are also home to bats which are also protected. All bat species, their breeding sites and resting places are fully protected by law. The information in the proposal does not satisfactorily highlight the richness of the site in terms of its wildlife and how they propose to protect the enormous array of wildlife.

The site is not only already habited by all this wildlife but it is and has always been used for the county cross country and 60 schools make use of the facility. The field is also used for the annual bonfire night where the whole community uses the site.

This field is in regular use not only for the benefit of the school but for the whole of Charlton kings and Cheltenham. To remove this makes no sense.

I reiterate that I strongly OBJECT to this proposal.

9 Haywards Road
Charlton Kings
Cheltenham

Gloucestershire
GL52 6RQ

Comments: 12th September 2017

We object to this proposal primarily due to the impact it will have to the local roads and safety of pedestrians. The Road network around Ewen Farm estate is already overused and is used not only by residents, but also commuters who use it as a rat run to avoid the traffic lights at Hayles Road and London Road crossroads. The amount of traffic that comes through Haywards Road is very high, and the speed limit of 20 mph is often not observed. This means that it's already dangerous for pedestrians in the area, and an increase in traffic (which this development would certainly bring) would increase the danger. Additionally, at the Haywards Road/London Road/Cirencester Road traffic lights, it is difficult to join London Road from Haywards Road due to the amount the traffic that has already backed up. This is happening from 0730 onwards Mon-Fri, and the increase in traffic (which will happen as no alternative ways of managing the traffic produced by the proposed houses have effectively been provided) will make this even worse.

We wholeheartedly oppose this planning application and would request that you do not approve it.

34 Chase Avenue
Charlton Kings
GL52 6YU

Comments: 10th October 2017

I wish to object to the plans to build houses on St Edwards school fields. I list some reasons below:

- These green fields are currently used for sports and community activities.
- I don't think local roads to cope with the extra traffic that these houses would generate.
- Local schools will not have enough places for the extra children.
- Access roads will not cope with the extra traffic.
- Wildlife will suffer - many animals and birds live in this area.

Charlton Court Cottage
7 Charlton Court Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JB

Comments: 12th September 2017

I object to this proposal because the access route, via Oakhurst Rise, is very narrow, steep and therefore entirely unsuitable for a development of this scale.

Furthermore, there will be a severe impact on traffic. Local traffic through Ewen's Farm is already very busy, with parked cars throughout and non-residents using it as a 'rat run' to avoid congestion on main roads. The risks are heightened by the high numbers of children and young people who live in the area and use these roads to reach schools at both ends of our neighbourhood. This new development will exacerbate existing problems - presumably adding 150-200 cars into the mix.

Flooding is also a concern because the bottom half of Charlton Court Road is in a dip and already considered a flood risk (e.g. by home insurers). Building over the top of the River Chelt catchment without satisfactory solutions for run-off etc is therefore risky for existing homes and Sixways.

Thanks for considering this objection.

House On The River
22 High Street
Cheltenham
Gloucestershire
GL50 1DZ

Comments: 12th September 2017

Additional infrastructure required will be to the detriment of the local people and destroy the very nature of Charlton Kings.

15 Ash Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8PW

Comments: 12th September 2017

I object to this application because it is another development on our precious green spaces Cheltenham has a policy to protect green space and environment (GE2).

There is also a lot of wildlife and important hedgerow habitat that would be lost.

14 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AB

Comments: 14th September 2017

As the planning portal was playing up, I don't think my objection went in so...

I OBJECT to 17/00710/OUT

Why?

100 houses is a minimum of 100 additional cars but realistically 200 cars if not more. Access simply does not allow that many cars. The only access is up a narrow, steep and twisting residential road

the loss of this land would put a stop to an annual event enjoyed by thousands of people each November - that of the annual St Edward's charity bonfire night. enjoyed by some 34,000 people and is unique in community folklore in that it is almost exclusively enjoyed by the FAMILIES that live in the village. There are no car parks, everyone walks and is a family event that has generated tens of thousands of pounds for local charities. It is unique in its non commercialised nature and has been running for 25 years. The loss of the top field would render the event untenable and cause a great loss of amenity to the community.

This may only be an annual event, but it is the kind of thing that makes this town, its community and indeed this country unique and special."

There is a Legal responsibility to protect against flood risk downstream (CBC have previously put in writing that this site and surrounding area has flood problems). Legal liability could pass to taxpayers if CBC are found to be negligent in this regard. Many homes are at risk down stream of this site.

Protection of green space and environment (GE2 is the local policy to cite). There are many wildlife spotted in these very fields, deer and badgers to mention a few.

The Uplands
Stanley Road
Cheltenham
Gloucestershire
GL52 6PF

Comments: 8th September 2017

I would like to add our household's name to the to the, already, large number of strong objections (from various parts of Charlton Kings) to this planning application.

I agree wholeheartedly with all of the numerous comments made to date regarding the flood risk, traffic nightmare scenarios, increased pressure on already stretched local resources and irreversible damage to the wildlife and habitat for many rare and protected animals and the trees, hedgerows and meadow.

Inches
Birchley Road
Cheltenham
Gloucestershire
GL52 6NX

Comments: 12th September 2017

In reviewing this application, I understand that the council must - by way of precedent - apply the same grounds raised by councillors in their reasons for rejecting the Application to build 80 houses nearby at Tim Fry Landrovers, King Alfred Way in August 2015.

Two of these grounds apply directly to the 100 proposed houses/flats off Oakhurst Rise:

1. The "rat run" through Ewen's Road

One of the reasons given by councillors for rejecting the Application to build 80 houses at Tim Fry Landrovers, King Alfred Way was the specific concern over increased traffic flow in the area, even though the traffic officer in that case did not expect a net increase in traffic by changing the commercial site into 80 new houses.

Specifically, councillors referred to concerns that Ewen's Road had already been turned into a "rat run", as a cut through between London Road and Hales Road, and that any increase in housing development in the area would make this situation even worse.

In this case, the proposed Oakhurst Rise access road leads directly into Euan's Road.

If we assume that the owners of the proposed 100 houses and flats off Oakhurst Rise will have 2 cars per household, the proposed development will introduce a further 200 cars directly into the very same Ewen's Road "rat run" the council were concerned about making any worse.

Furthermore, the only access to the proposed 100 houses is through Oakhurst Rise, which is predominantly a retirement close, leading into Ewen's Road. The council must be mindful of the

sheer hell that such a development and increase in traffic will surely inflict on the inhabitants of Oakhurst Rise and Ewen's Road, and must surely reject it.

2. Offer of Affordable Housing was not credible

The commitment by the developers at Tim Fry Landrovers to allocate 40% of the development to provide affordable housing was rejected by councillors as being treated "with a very big pinch of salt", and rejected further "as a desperate attempt to buy votes and it won't happen," and as "pie in the sky".

As outlined above, these comments could not be more relevant in this case.

The sole commercial rationale for the development of these 100 new houses/flats in the middle of Charlton Kings is the offer to all those buying the houses/flats of an automatic place for their children at Balcarras School, which we all know to be one of the top comprehensive schools in the country.

The value of houses and flats within the Balcarras catchment already attract a considerable premium of up to 30% over the value of houses located just outside the Balcarras catchment. The prize of planning permission to build 100 new houses/flats here for the three local individuals behind the development is clear. (These three local individuals clearly appear willing to undermine the entire neighbourhood for the sake of their own personal profit, but judging by the level of objections, this is not a price which the neighbourhood is willing to pay).

At present, the Balcarras School catchment is theoretically 1 mile from the School, but has been reduced to less than 0.9 mile in practice due to the recent surge in population of younger families buying or renting houses or flats within the catchment area for this specific purpose.

Every house or flat coming up for sale within the Balcarras catchment, however small, is purchased by a young family seeking places for their children at Balcarras School. Every house or flat made available for rent within the Balcarras catchment, however small, is rented immediately by young families seeking school places for the children at Balcarras School. A small house or flat (whether bought or rented) simply provides an address within the Balcarras catchment for those frequently living outside.

Since the development is 0.7 a mile from Balcarras School, it guarantees any young family either buying (or renting) a house or flat, a place for each of their children at Balcarras School. It is reasonable to assume that each new house or new flat built off Oakhurst Rise will attract an average family of 2 children, equating to 200 school places at Balcarras School.

There can therefore be no genuine basis for claiming that the development will provide affordable housing, and should not be allowed on the basis that it will. It will not. That part of the development will simply provide a cheaper address (owned or rented) from which to apply to for a place at Balcarras School.

It should also be noted that whilst the 100 new houses will hand the new owners (or tenants) of the proposed houses/flats an 200 additional school places, it will also deprive 100 families already living in the catchment, albeit at a greater distance from the school than the development (ie from 0.7 mile to 0.9 mile), of their own school places at Balcarras School.

[Concerns over providing school places to the 80 house development at the Tim Fry Landrovers site - for an estimated 160 new school children - was addressed by the availability (at the time) of school places at Pittville School. Pittville School is now full, and the Balcarras School catchment is rapidly shrinking. As a separate issue therefore, the local amenities cannot support the introduction of an additional 200 school children into the area].

In conclusion, I sincerely hope that the council will take full account of the reasons given by councillors in their reasons for rejecting the proposed 80 houses at Tim Fry Land Rovers, King

Alfred Way, and in applying these reasons which appear directly relevant to this application for 100 new houses/flats off Oakhurst Rise, vote to reject this application accordingly.

1 Giffard Way
Leckhampton
Cheltenham
Gloucestershire
GL53 0PW

Comments: 12th September 2017

I am writing to object to this planning application for the following reasons:

1. Loss of local and regional amenity (eg the cross country course has been used for over 60 years by thousands of school children). (NPPF para 74)
2. Legal responsibility to protect against flood risk downstream (CBC have previously put in writing that this site and surrounding area has flood problems). Legal liability could pass to taxpayers if CBC are found to be negligent in this regard.
3. Protection of setting of two listed buildings, not only in their visual setting, but also in the local context which is most important
4. Protection of green space and environment (local policy GE2).
5. Loss of local character. Density of housing on this site will be 23 homes per hectare. Zoned by CBC for planning purposes in Battledown, where density of housing is just over 4 homes per hectare.
6. Hedgerows legislation of 1997 (assumption against removal) and the presence of ancient trees.
7. Traffic and infrastructure throughout Ewens Farm, London Road, Hales Road will not support up to another 270 cars in and out of the estate, plus delivery vehicles and other support services. (Based on the Government's own figures of 2.7 cars per home).
8. Inadequate access to the site.
9. Overlooking and loss of privacy in a kindergarten playground (and surrounding properties).
10. Visual impact on AONB and local conservation areas.

This is a totally unsuitable setting to add 100 new houses.

80 Beeches Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NU

Comments: 12th September 2017

I object strongly to the proposal to build upon land at Oakhurst Rise. Too many of the applications are being approved which is endangering the green spaces around Cheltenham. We are suffering from too much urban sprawl now.

9 Ewens Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JW

Comments: 11th September 2017

As a resident of Ewens Road, I believe this proposed development will add an unbearable level of extra traffic to an already busy residential street, which is used by a high volume of traffic who use it as a cut through to bypass the Hales Road/London Road traffic lights. Added to this, Oakhurst Rise is a completely unsuitable access road which will only add extra traffic pressure to the already narrow streets of Ewens Farm estate.

Also, this proposed development is swallowing more of Cheltenham's precious greenbelt land.

Building on this land will be adding to surface water pressures and must increase flooding risks further down the surface water run off path.

10 Robinia Close
Cheltenham
Gloucestershire
GL53 8PR

Comments: 12th September 2017

I strongly object to this planning application for a number of reasons.

It will result in a large increase in traffic on what are already very busy roads. The Sixways junction and A40 into town are always very busy and often at a standstill. This development will only make the situation worse. The access to the site is very limited and totally unsuitable both during construction and post construction. The traffic noise and pollution will increase both during and post construction. 100 houses will have approximately 200 cars between them. That's 200 more cars in the rush hour trying to leave this housing site and exit onto the A40 either turning into town or through the Sixways junction - what a nightmare!

There will be an increase in demand for school places in what are already heavily over subscribed schools (Charlton Kings Primary and Balcarras secondary). 100 houses could have 200 children between them, all needing school places. There is no capacity in any of the local schools.

The site is on 10 acres of permeable green fields at the top of the river Chelt catchment. There will be an increase risk of flash floods and a greatly increased rainwater run-off into drains and sewers which will have severe consequences for wide areas of Cheltenham.

There will be a significant loss of green fields and unique habitat - meadow, hedgerows, protected trees and wildlife.

I reiterate that I strongly object to this planning application.

10 Warwick Crescent

Charlton Kings
Cheltenham
Gloucestershire
GL52 6YZ

Comments: 11th September 2017

I object to the building of housing on this land, for various reasons: impact on Charlton Kings village community spirit and loss of amenity by not being able to hold school cross country races there, nor the annual firework display; impact on water table that could lead to flooding and poor drainage; impact on infrastructure by having greater volumes of traffic; visual impact as this land can be seen from the hills, protection of green space and the environment and impact on wildlife, trees and hedgerows.

24 Castlefields Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YR

Comments: 12th September 2017

The proposed access route is inappropriate given that it is unsuitable for the volume of cars involved and very steep. The site is well used by the local community for both an annual bonfire celebration and regular cross country competitions by local and county schools, as well as being part of the regular lessons for St Edwards' pupils. Losing this amenity would therefore be a great loss. There will be an unacceptable detrimental impact on the local environment, including habitat loss for wild animals such as badgers, bats, foxes and an increased flood risk. Local infrastructure (schools, doctors surgeries, roads) will be put under unreasonable strain. I strongly object to these proposals.

8 Pine Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JR

Comments: 2nd May 2018

I read that yet another application for houses on the st Edwards school fields has been received by the planning department. I also read on the same letter that there is no need to repeat previous objections.

It beggars belief that the developers have submitted yet another! set of plans for these same fields. I believe i'm correct in saying that applications for 200 and 100 properties on this site have already been rejected by the planning department, for reasons that they felt in their wisdom was correct, and possibly other reasons that the public may have pointed out.

Lets call these reasons X Y & Z. Now how can it be right that these developers that have had their previous applications rejected, reapply with yet another! set of plans (albeit with fewer properties, but other matters reserved for future consideration. wonder what that might be, LOL) and think this is right and ok. Surely the same X Y & Z are still relevant? What happens if these latest set of plans are rejected? (which I think is only right and proper that they should be). Do they just keep applying until they get their way? How many bites of the cherry are they allowed?

The Herdies
33 Brookway Rd
Charlton Kings
Cheltenham

Planning application

RL53 84F

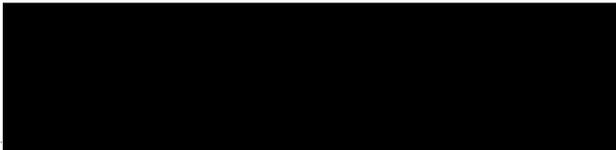
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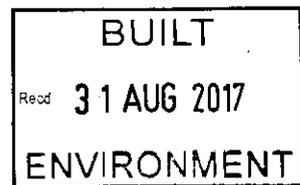
17/00710/00T

Re the building of 100 houses
in fields off Oakhurst Rise.

How can you be even considering
such an idea - even the amended application.
The site has been of such significance to
all local residents to think of it being
covered with houses + flats is awful.

Dotas surgeries + schools are already
very over subscribed. The traffic on the
London Rd + the access roads to the site
are illegal to take more cars. flats would
not make the number of cars any less. In
any case you not listen to local opinion
& turn down the application. (hope this
reaches you I do not have access to the internet





Dunkeld
Ashley Road
Battledown
Cheltenham
GL52 6NU

Planning Officer
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
Gloucestershire

30th August 2017

Dear Sir or Madam

Re: Planning Application
Reference No: 17/00710/OUT

I wish to protest in the strongest possible terms against the proposed development of land at St Edwards School Field's. This is an area of outstanding natural beauty bordering the beautiful BATTLEDOWN ESTATE of which I and many other residents are extremely proud of. This area should be protected against all speculative developments and I urge the planning committee to reject this application.

Yours Sincerely



BUILT
Recd - 6 SEP 2017
ENVIRONMENT

"Pinewood"
12, Buttle Down Drive
Chertham,
Glos
GL52 6RX

4th September 2017.

Dear Sir,
As the owner of the above property, I understand why there is a danger of overbuilding in this area.

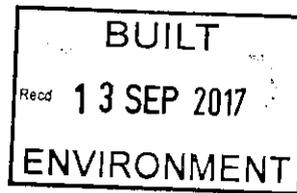
This no doubt will devalue my property and others in the vicinity, and also other considerations.

I therefore oppose the planning application Re Oakhurst Rise - 1100 houses.

Planning Ref 17/00710/00 T.

Yours faithfully
[Redacted Signature]

Tel [Redacted]



21 Oakhurst Rise
Cheltenham
GL52 6JU

10th September 2017

Dear Miss Payne

Planning Application 17/00710/OUT

As a resident of Oakhurst Rise I am very concerned about this proposal.

Oakhurst Rise is a quiet Cul-de-Sac with two sharp bends and two steep gradients. It is a struggle for anyone who is not very fit to walk home from Sixways, particularly if they have a bag of grocery shopping - it's just not "walking-friendly". I have never managed to cycle up the road - it's even less "cycle-friendly". As a result, driving is the only option, although this is already made dangerous by the T-junction with Ewens Road/Beaufort Road, as several vehicles park in Oakhurst Rise, next to the junction, so that access to Oakhurst Rise is blind from the Ewen's Road approach and when approaching the T-junction from Oakhurst Rise, you must be on the wrong side of the road, to avoid the parked cars, so run the risk of collision from cars turning into Oakhurst Rise from Ewen's Road.

The proposed development will also bring a significant increase in the traffic passing through an already congested area. Haywards Road and the roads around Ewen's Farm are already used as a cut through for traffic between Hales Road and London Road. Although the speed limit has been reduced to 20 mph in these areas and traffic calming measure have been implemented, vehicles are regularly observed to be travelling at higher speeds. The junction between King Alfred Way, Churchill Drive and Haywards Road is already very difficult for pedestrians to negotiate due to traffic using the roads as a cut through. This will become worse with the additional vehicles using and accessing the proposed site.

I chose to live on Oakhurst Rise because it is a beautiful and tranquil place and this will be lost. The noise of traffic and loss of privacy will be very severe. I am very concerned that the new estate above us will become cut off in snow and cars will have to park at the bottom. The road is treacherous in winter.

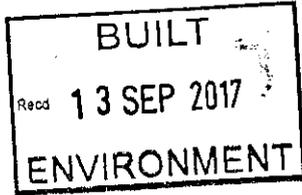
I love the beautiful old oak trees and birds, deer and foxes that I regularly see. In addition, I am very concerned about the impact the development will have on flooding to my neighbours downhill.

I hope that you will listen to the serious and varied concerns of local people.

Yours sincerely

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

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



15 OAKHURST RISE
CHELTENHAM
GLOS
GL52 6JU

10th September 2017

Dear Miss Payne

Your Ref : 17/00710/OUT

I object to this proposal. My reasons for this are the damage to a special environment, increased traffic, flood risk and the loss of an important cross country venue for Gloucestershire Schools. I sincerely hope that you will reject this proposal.

The site contains many mature oak trees and several are protected. I understand that a large number of these trees will be destroyed. This will cause untold damage to the environment in terms of loss of habitat for bats, owls and rare birds. It will also cause considerable problems with extra run off of rain water as trees absorb and intercept so effectively.

Paving over these green fields will dramatically increase flood risk downstream. Many residents in Charlton Kings experience flooding and I cannot see how the current system of drains and sewers can cope with the extra demand.

Overflowing drains will go into the brooks to create another 2007 scenario.

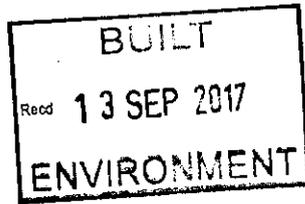
The loss of the Cross Country course which is quite unique in the area will be a terrible mistake. Children need to be encouraged to keep fit in these days of increasing waistlines.

I trust that you will listen to my concerns.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

11 Oakhurst Rise
Charlton Kings
Cheltenham
GL52 6JU



10th September 2017

Dear Miss Payne

Planning Application Reference : 17/00710/OUT

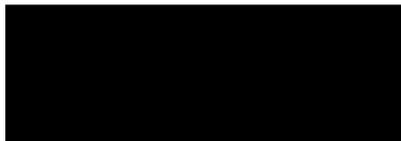
I would like to see this proposal rejected. My main reasons for this are on the grounds of flood risk and increased traffic.

The council has spent a fortune on schemes at Cox's Meadow, Sixways Brook and at the play area on Oak Avenue. They did this after the disastrous flooding in 2007. It seems absolutely crazy to put all this expense, I assume many millions of pounds, in jeopardy by building on green fields at the top of the catchment. Areas that I know flooded were Oak Avenue and houses next to Lilley Brook and along Cox's Meadow. Please be very careful before you allow development of this site. There is a reason why it has never been developed.

I am also extremely concerned about the impact of hundreds more cars on the congested side roads and London Road and Hayles Road. Haywards Road in particular is already very busy with commuters avoiding the lights on the main road at rush hour. I look forward to seeing this proposal turned down in the strongest possible terms. The roads on Ewens Farm are totally unsuited to the current level of traffic and will not cope with hundreds more cars.

I trust that you will do the right thing.

Yours sincerely



Re Planning Application

Cherlton Kings

17/00710/OUT

Chaltonham

GL526JU

Dear Sir/Madam,

I find it incomprehensible that the developers, having initiated surveys of the roads and traffic around Ewens Farm and Oakhurst Rise, have come to the conclusion that the steep, narrow and congested roads would be suitable access for 100 dwellings and possibly up to 200 vehicles,

Accessing Oakhurst Rise from the left (the only way ^{way} can) is a most hazardous move on a blind corner and must be taken with extreme caution. The reverse move is even more dangerous, as when turning right out of Oakhurst Rise you are frequently faced with a steady stream of traffic taking the well known short cut from Hales Road to Six Ways, thus avoiding the long delays at the Hales Road traffic lights. Unfortunately a lot of these motorists don't realize that although Beenford Road is an entry from the

②

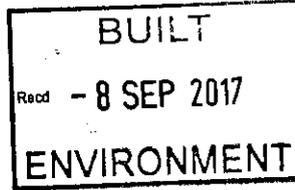
bottom of the hill Page 383 are in it you can go either way. They tend to cut the corner on the steep, sharp bend by the bus stop and you are faced with fast moving oncoming traffic. This situation is an accident waiting to happen.

Having lived in Oakhurst Rise for 35 years, I feel qualified to point out that there have been many occasions in bad winter weather that the first hill from Beauford Road has been impossible to vehicular traffic and difficult on foot. Our cars have therefore been scattered wherever possible round the estate. The council gritter lorries went stray from the bus route through the estate, and although we have a council installed grit bin at the top of the hill, currently many of the residents adjacent to this bin are elderly and not now able to take a turn in gritting the hill as they have done in the past.

We do hope that good plain common sense will prevail when this application is considered.

Yours Sincerely

[Redacted Signature]



3 Oakhurst Rise
Charlton Kings
Cheltenham
GL52 6JU

1st September 2017

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

Dear Sirs,

Ref 17/00710/OUT

I wish to register my objection to the proposed development on land adjacent to Oakhurst Rise of up to 100 dwellings.

My reasons for such objection, apart from the obvious one of the detrimental effect on a quiet hitherto cul-de-sac, and hence lowering of property values are: -

- 1) Vastly increased traffic flow on a road which is unsuitable for the purpose, especially considering that some dwellings in Oakhurst Rise do not have garages, and on road parking is the only option.
- 2) Heavy flooding has occurred in the past (especially in 1987) and this development would exacerbate the situation considerably.

These are my objections (in respect of planning matters)

Yours faithfully





[REDACTED]
33 CHARLTON COURT ROAD
CHARLTON KINGS
CHELTENHAM
GL52 6JB

01/09/17

Dear Sir/Madam

Re: St. Edwards School Fields
REFERENCE N° 17/00710/OUT

My objections are as follows:-

- 1) Severe traffic impact on Oakhurst Rise and holdup of traffic onto the London Road
- 2) Very concerned about loss of greenfields/unique habitat and ancient trees.
A huge loss to environment
- 3) Amenity:
Visual impact in the area & affects of possible flooding

Yours Sincerely
[REDACTED]

54 King William Drive
Charlton Park
Charlton Kings
Cheltenham GL53 7RP

3 September 2017

FAO Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12 Municipal Offices

Dear Ms Payne

Land off Oakhurst Drive: Application for up to 100 Dwellings Reference 17/00710/OUT

I wish to object to the above proposal for the following reasons.

1. Outline should be unacceptable

It is an outline application in what I consider to be a very sensitive location. If granted, the site would be given residential permission but for who knows what eventual scheme. For the avoidance of doubt as to developer intentions I believe a full application should be submitted for any controversial site such as this.

2. Quantum of dwellings proposed excessive

The number of dwellings is excessive for the site. To achieve the number, whatever the developer states in his Design and Access Statement, no real account of local 'grain' has been taken. Both plot size and accommodation have obviously been squeezed to a minimum, not, as stated, relating to Ewens Farm or Oakhurst Drive itself. Nor could they ever relate to the Big Houses in Battledown: the very slight increase in space along the site border with Battledown is less than useless.

3. Sewerage proposals adversely affecting neighbours

I also object to a proposal which will require sewerage to be gravity fed from the site and to travel down and across King Edwards land and thence into the existing system at Croft Road – neither of which is part and parcel of the application and both of which will suffer the inconvenience of the works.

4. MAIN OBJECTION: TRAFFIC GENERATION BY THE DEVELOPMENT

4a Likely car ownership

By 2021 according to Office for National Statistics projections, car ownership will be 2.7 vehicle per household, that is, the application site inhabitants will be likely to own and use 270 cars. This is virtually admitted by the developer who has allowed 248 car parking spaces on the site.

4b Omission by developer of a very significant factor

Whether on purpose or by oversight, the developer seems nowhere to have set out

- The actual summit level of the site entrance AOD
- The difference in levels between the southern end of Beaufort Road and the site entrance at the top end of Oakhurst Rise.
- The road gradient between the two.

From inspection, the climb seems inconveniently long and steep, particularly in bad weather or if you are heavily loaded.

4c Improbability of proposed Residents Travel Plan succeeding

The developer has commissioned the 'de rigueur' Travel Plan supposed to reduce the amount of car travel, increase use of public transport, increase walking and cycling, and minimise the impact of the development on the local area and transport infrastructure.

Cycling or walking DOWN that hill might be popular, but the trek back UP after work voluntarily would surely put off all but masochists.

It is distinctly unlikely that the P or Q bus starting at 9.30 and finishing at 4.30 would contemplate a cul de sac diversion to Oakhurst Rise, so, without walking down to the existing stops, public transport is not an answer.

Instead, it seems that the 248 cars will be pressed into use – particularly to get people to work on time – adding to A40 junction congestion in the morning.

4d Adverse effect on Oakhurst Rise and Beaufort Road

These two were designed as Local Access Roads, narrow to take only a limited amount of traffic. The addition of a possible 248 users at any time of the day and night emerging from an equally narrow restricted access should surely be unacceptable.

CONCLUSION

In Section 3 of the RTP, Site Accessibility, Paragraph 3.1 reads:

“When considering the overall sustainability of a site with regard to highways it is important that a site can be demonstrated to be accessible for all potential residents without relying on heavy on travel by car, particularly single occupancy journeys.”

As it does not appear that this can be demonstrated, I believe that the development must be considered unsustainable on highways grounds at least.

Pleas However take the other points I have raised into consideration.

Yours sincerely



Former Charlton Kings Resident



10

Tall Timbers
Ashley Road
Charlton Kings
Cheltenham
GL52 6NS

Director of Planning
Cheltenham Borough Council

Cc: Miss Michelle Payne

(by email)

1st September 2017

Dear Sirs

Planning application 17/00710/OUT

Thank you for your letter dated 22nd August 2017 inviting me to comment on the outline application for residential development at Land Adjacent to Oakhurst Rise.

Summary:

I object to the application for a variety of reasons but predominantly because it is inconsistent with the Local Transport Plan and creates a less safe environment and less efficient economy. The assumptions, subjective inputs to models and resultant conclusions in the Transport Assessment plan, commissioned by the developer, should be treated with caution. The scheme would breach the advice given in the Manual for Gloucestershire streets 4th edition. If the planning authorities, after considering the weight of other objections to the scheme, are still minded to take this matter forward then I would suggest that they consider commissioning their own independent traffic and transportation analysis at the developer's expense. The planning authorities should consider ensuring that the developer can provide a means to mitigate fundamental transportation safety concerns and mitigate the strain on the surrounding highway networks through providing commuted payments towards the provision of walking and cycling routes and for use in public transport.

By way of background I trained as a Civil Engineer, became a Chartered Engineer and Member of the Institution of Civil Engineers in 1986 and majored in transportation, road design and drainage. Schemes that I have been involved in include the M42, the M54, the A483 Oswestry by pass as well as many smaller road improvement schemes.

I have briefly studied many of the documents produced in the outline planning application and I am surprised at both the tone and the material inaccuracies in the statement of community involvement and suggest that the Council planning officer would do well to spend time reviewing the precision of this and many of the developer commissioned supporting documents that accompany the application and refer the entire matter to a planning Committee for a decision. I can for example confirm that statement 3.1 is incorrect. Neither I, nor a number of other residents in Ashley Road, received any leaflets notifying us of public consultation.

..... Continued

My major objection to the application is based upon my own field of expertise, transportation.

This application is inconsistent with the Local Transport Plan in a variety of ways. The layout of Oakhurst rise is entirely inappropriate and unsafe as a suggested feeder road for 100 new dwellings. This proposal will therefore reduce the safety of all travellers and compromise the principle of an efficient economy by adding to traffic delays.

The developer's transport assessments, commissioned by the developers to support their own argument, should be treated with care. The subjective criteria used in their modelling and the survey carried out to underpin their modelling appear to me to be designed to produce the most favourable figures to support the application. I highlight two examples below, there are more:

1. The demographics of the occupiers of the new development (typically young family residence and young professional) are likely to be different from those of the current residents in the area which include retirement type bungalows. The developers have chosen to ignore this and extrapolate figures based upon a similar elderly (and crucially less mobile) demographic. Cl 6.8 and subsequent calculations of Transport Statement part 1 refers.
2. Cl 6.27 of Transport Statement refers to left hand turns from the A40 onto the A435 and, although they acknowledge that vehicles do not currently undertake this movement the transport assessment has chosen to assign traffic to this route. This will create a false picture of traffic volumes on the surrounding residential streets that are currently used to avoid the left hand turn.

I note that the developer is suggesting that 248 parking spaces be approved for the site. The subjectivity that they have chosen to apply to their modelling leads them to suggest an increase in peak flow of only 48 vehicles per hour! My own estimate of over 150 vehicles per hour at peak times would be unmanageable and unsafe on the small approach road, Oakhurst Rise. I would encourage the planning officers to test this key assumption themselves using their own experiences of developments occupying young families. If it is assumed that only 90% of the parking spaces are occupied and only 2/3rds of those vehicles move in a normalised manner during the peak two hour period (07:00 to 09:00) one arrives at a peak outflow figure (using normal distribution) of 120 vehicles/hour. Add the inflow from returns from the school run and the burgeoning fleet of home delivery vans and 150 vehicles per hour is reached easily. Planners will also note that a 90% occupancy rate of spaces is extraordinarily conservative. In fact, local experience suggest that more vehicles will seek to occupy the 248 spaces provided in the application leading to overspill on to local streets which will provide a further hazard on Oakhurst rise.

I also note that the developers transport assessment has utilised traffic count data from one continuous week of observations as the basis of their conclusion. It is better practice to utilise data taken on different days in different weeks and even different seasons. A count taken during Cheltenham Gold Cup race week, when these roads are gridlocked, would not be considered appropriate and neither should the count in this quiet week in December.

..... *Continued*

I would advocate that the planning officers consider commissioning their own independent traffic and transportation analysis at the developer's expense. The following publications should be considered once the planning authorities have findings from a reputable independently commissioned transportation consultancy:

- Highways Agency design manual for roads and bridges
- CIHT's Manuals for Streets 2 - Wider application of the Principles
- The Manual for Gloucestershire Streets.

The manual for Gloucestershire Streets states at 3.53 that "any departures or relaxations from national or local design standards should be fully justified." They are not fully justified in the submissions accompanying these proposals. It also states at 5.1 that "good connectivity between proposed development and existing services and facilities is essential if pedestrian and cycle journeys are to be encouraged." I can find no suitable additional connectivity suggested and costed in these proposals.

People accessing the new development via its only proposed access, Oakhurst Rise, on foot, cycle or in vehicle would be served by a road that, at its narrowest, is 5.5 metres wide with a 1.6 metre and 1.8 metre footway at either side. Where the road transitions left travelling up the hill a taper is built in to the road but this taper eats in to the width of the footway. Where the road transitions right there is no taper. The original design of this piece of road would have served only five properties that are further up hill of this 90 degree bend rather than the potential one hundred and five properties that it would serve if this proposal was to go ahead.

If the developer truly believes in his proposal to increase walking and cycling then the mixed use that this creates commands minimum widths of 2 metre wide footways and a 6 metre wide carriageway. Anything less from the designers and planners is clearly a compromise of the safety of the pedestrians and cyclists who would use the access.

The development will also make the other roads in the vicinity, particularly Beaufort Road, Charlton Court Road and Ewens Road considerably less safe. These roads named above should be examined for reclassification as local distributor roads if this development were to be permitted and higher traffic volumes created. An independent traffic count is likely to reveal much higher traffic volumes. As such these roads would typically be designed at 6 metre to 7.3 metres in width with 2 metre footways. Currently there are many places where this is not the minimum.

This scheme would also compromise the concept of an efficient economy by adding to the already lengthy peak time delays that are experienced in the vicinity of Sixways. Delays of ten minutes or more are common for vehicles using the arterial A40 corridor between the Hales Road traffic lights and the Eastern side of Charlton Kings. The addition of over 150 additional vehicles during peak times would only hinder attempts to reduce these delays.

..... *Continued*

Unless the Developer can provide a means to mitigate these fundamental transportation safety concerns and mitigate the strain on the surrounding highway networks through improving the access roads and through providing commuted payments towards the provision of walking and cycling routes and for use in public transport then this application should be refused.

Although I have designed several road drainage schemes I cannot claim that land drainage is an area of my expertise. Never the less I would draw the planning officer's attention to further examples of a developer commissioned report drawing conclusions that command further independent assessment. The Ground Water Emergence Maps utilised by the developer are NOT informed by the catastrophic flooding that took place in the area in 2007. It is widely acknowledged by insurers and engineers that the flooding that took place in properties built in to the hill side in Ashley road, Birchley road and other surrounding areas was caused by movement of the normal aquifers following a rise in the water table in the surrounding escarpment to the East of the proposed development. This same risk will therefore be present in this new development. The flood risk assessment report notes at clause 5.24 that the assessment of "minimal" flood risk is based on historical (pre 2007!) records and is NOT based on a formal risk assessment. I would advocate that the planning officers should commission an independent report on the proposed scheme at the developer's expense. This should cover a full formal risk assessment for flood risk from Ground Water Emergence and the new and severe danger that will be faced by lower lying properties in Charlton Kings and Cheltenham town centre from runoff. An independent report should produce comprehensive recommendations on risk mitigation schemes.

Finally, I would draw the planning officer's attention to the following shortcomings of the proposed development:

- Insufficient playspace provision in the new development proposals - in fact the proposal could be considered to reduce playspace considerably by removing an area that is used extensively by the community (inter school and county cross country competitions, bonfire night celebrations, local childrens play amenity).
- Insufficient affordable housing provision
- Insufficient mitigation of increased demand on medical, education and library facilities

Commuted sums should be considered, agreed and itemised at this stage to redress these items.

In the interests of transparency, I should declare that one metre of my property borders the land that is under consideration at its South-East corner.

Yours faithfully





View of the proposed site from the Charlton Kings village

Charlton Manor,
Ashley Road,
Cheltenham,
GL52 6NS

2nd September 2017

To all involved in the planning application for up to 100 homes on Oakhurst Rise,

This is a special green place at the heart of Charlton Kings and of Battledown.

The last time this site came up for planning, CBC documented that it was unsuitable because of the loss of trees, the unsuitability of the roads, and the existing flooding problems of the area would be exacerbated. The time before that, **the Secretary of State for the Environment ruled against development.** The time before that, CBC ruled against.

It is difficult to write objections to an outline application, particularly when so much of the supporting documentation is factually inaccurate, and silent on facts that are pertinent to this application and both local and national planning frameworks. How are these issues going to be raised as this application progresses, without independent and properly informed consideration, if the applicants are allowed full and unfettered access to all involved, but are not



obliged to have technically accurate and fully representative data on which to make their case? I hope our comments will not be dismissed, as has happened to many of us recently in the planning process, as insufficiently technical or authoritative, just because a paid for report exists that presents one part of the argument.

We are not planning officials. There are a range of reasons why this process feels skewed against residents and local expertise, and why we feel we have none of the benefits afforded to those behind this application. But this is our home, our community, and we believe we know it better than consultants who have visited on a couple of occasions.

As the minister responsible states in his introduction to the national planning framework, "this should be a collective enterprise. Yet in recent years, planning has tended to exclude, rather than include, people and communities. In part this has been a result of targets being imposed, and decisions taken, by bodies remote from them". Or to quote the Localism Act, planning currently "leaves people feeling 'done to' and imposed upon - the very opposite of the sense of participation and involvement on which a healthy democracy thrives."

I request that Cheltenham Borough Council and those that are responsible for decisions around this site give visible and evident weight to the views of the residents affected by this application, even if my comments (or theirs) aren't sufficiently articulate in detailed technical aspects of planning policy.

I oppose this application on several grounds. While accepting the need for affordable housing and the presumption in favour of urban development, this is a >23 home per hectare housing estate on private green space that is central to the townscape of Charlton Kings and its conservation areas and its unique village environment. It borders the AONB and is central to the view from it.

Development of this site (in part or in totality) would result in the loss for us, residents and future generations of school children in the Gloucestershire community, of a richly bio-diverse steep and hilly site that used extensively for primary school children for sport (by all schools in the county) and by our own school for education on the best of our natural environment – organic fields, extensive mammalian, reptile, insect and birdlife, rare plants and protected species under national legislation.

All for housing on an area that floods from the ground up at the top of the site, has problems with drains at the bottom of the site that are documented as insufficient for further use, with no sustainable transport plan or mitigation for oversubscribed local facilities, which destroys protected and ancient trees and important, nationally protected, hedgerow, that removes a unique local amenity in the annual bonfire, that obliterates a 60 year old tradition and county wide amenity in the school, district and county cross country running course, and that fundamentally changes the setting of not one but two listed buildings. Presumably because

of a thirst to meet the regional housing demand – but from a site that is unmentioned in the Cheltenham housing projections over the last decade, is on private green space subject to its own restrictive local policy provisions that preclude such development, delivers no social or affordable housing, no environmental or sustainable features, has no realistic transport or access plan, and all in the Battledown development zone according to Cheltenham Borough Council, where development where the local character is less than 5 properties per hectare and garden grabbing and infill inappropriate - well it is frankly beyond comprehension.

1. **“Public engagement”**: The paperwork supporting the application references national planning policy around local engagement and has produced an impressively glossy 16 page report to demonstrate that they are taking this seriously (“applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably”).

As residents, our experience is markedly different. We have not been consulted effectively, as individuals, or as a community. “Public engagement” was advertised through a connection into the St Edwards school PTA and by the hastily convened Friends of Charlton Kings – it was sheer accident that enabled engagement, as a result of which signs were painted by 8 year old school children the day of the event – perhaps not well versed in the finer points of planning, but passionate about their environment (for future generations, as well as for themselves). At that consultation I was told, in the company of elderly neighbours, that the developers would be paying for a new GP’s surgery to mitigate pressure on amenities. My 14 year old son was told that the traffic survey had taken place on 3 different dates; he pointed out two were in school holidays (none were consistent with the data provided in the consultants report). A PR representative when pushed on wildlife mitigation asked, in front a range of witnesses, an off the cuff remark about badgers including the immortal and incomprehensible line expressing a preference for shooting them.

There has been no follow up with residents.

The site has a primary school as current tenants. School safeguarding policies require visitors to the school to be documented and registered, and for the site to be secure at all times. The developers and their proxies have refused any such identification or registration when seen by residents (including myself), insisting on accessing land by various means without announcing their presence. That’s been both over private land on the Battledown Estate, and by cutting a hole in an area TPO covered and presumed important hedgerow. This at the end of Oakhurst Rise during the nesting season and despite the fact that there are two perfectly serviceable access routes to the site that are used by farm machinery and emergency vehicles as required.

Residents have made complaints under the Countryside and Wildlife Act, to Natural England and to the RSPCA (particularly with respect to the operation of machinery in close proximity to a very large and significant badger sett). We have made CBC aware of our concerns at the destruction of hedgerow, and of trees covered by an area Tree Protection Order.

Local residents have been reported to the police for parking on the street outside their own properties on Oakhurst Rise. Signs have been put up to intimidate residents.

The application claims significant work has obviously been done with Cheltenham councilors.

It is to the detriment of this application, and to the residents' sense of democracy and faith in the planning process, and to the intent of national guidance and localism legislation, that no such care or consideration has (yet) been afforded to those affected by this proposal. These views are doubtless not material to the application, but it is patently unacceptable for comments to be put forward in support of this application that are demonstrably false in the eyes of those most affected – namely residents.

General objections

2. Environmental impact: National planning guidance requires that development moves from a net loss of bio-diversity to achieving net gains for the future. It is inadequate that no ecological survey has been done in spring or summer. This site is an almost unique environment to Charlton Kings and to the wider Cheltenham area in a number of regards:

- being organic grass and wildflower meadow (it has not been treated with herbicides, fertilisers or pesticides in decades, nor has it been subject to any grazing in at least a decade). It is only cut once a year, making it a haven for an enormous variety of reptile, bird, mammalian, butterfly and insect life. Loss of such a site in its totality would be inexcusable – not least because it is used for nature studies by over 400 primary school children on a routine basis. **The ecologist report is inaccurate on these details, having visited the site before the growing season starts, and after the annual cut of the grass.**
- containing a number of important and protected hedgerows (which are covered by a combination of individual and area tree protection orders, in addition to being afforded protection which assumes against removal under the 1997 Hedgerow legislation). The hedges on the sites are all older than 30 years – as evidenced by the fact that the area tree protection orders covering them were signed in the 1980s. They contain wildlife protected by the Wildlife and Countryside Act of 1981, as evidenced by the fact of an enormous badger sett that underpins the hedges, the presence of newts, bats, a multitude of songbirds and much more. And they are included in the maps of Battledown when the estate was first conceived (in 1864). **The ecologist report is inconsistent on these details, surveying the land and admitting to the presence of**

protected species – including in the hedgerows, in the ecology reports - but then claiming the hedgerows contain no protected species in the hedgerow evaluation.

- Being a site extensively covered by mature, even ancient (protected by individual TPO and area TPO) and irreplaceable trees.
- The presence of a mature, extensive badger sett (for which the proposed mitigation is inadequate)
- The presence of multiple reptiles from newts to adders to grass snakes (where planning guidance recommends that the site is not developed – and if it is, a site of larger size and higher quality is needed as mitigation within the same planning locale)
- And a huge range of other non protected species, all of which contribute to the local environment and are unique to an urban and educational environment, even if not ‘rare’ at the national level. Planning legislation does not presume this loss of habitat will be taken lightly.

A brownfield site less than 500 metres from Oakhurst Rise has recently been rejected. It is inconceivable that this site is preferable to that turned down by CBC. And **Cheltenham planning guidance GE2 states that building on private green space will not be permitted when there are detrimental environmental impacts.**

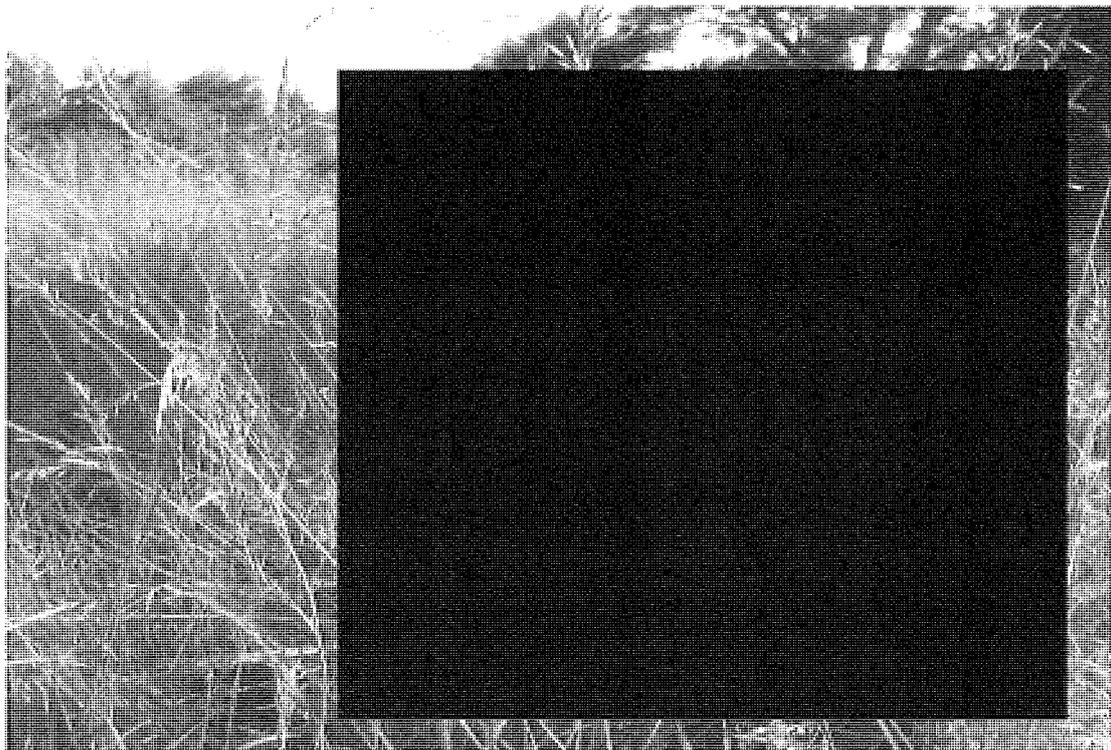
3. Townscape and visual amenity from across Charlton Kings and the AONB: The Landscape Architect highlights that the development would fundamentally change the character of the site, and would reduce landscape quality. Cheltenham’s planning policy prohibits development of private green space in this way (again policy GE2 **which states that development of private green space with a significant contribution to the townscape cannot be authorised**). **It is difficult to think of any site of greater significance to the townscape of the Charlton Kings area as evidenced by the photo above;** that is before the visual impact of the site and its impact on the character of the AONB. It is in sight lines from the Charlton Kings conservation area including the direct view down the street from St Mary’s Church, it provides the setting for the unique nature of the Battledown area, and if approved this would become the **ONLY** high density development on this side of town above 210 metres above sea level, clearly visible from the totality of the AONB surrounding Charlton Kings.

3. Transport and sustainable development: National planning guidance requires the fullest possible use of public transport, cycling and walking, and that key facilities such as primary schools and local shops are within walking distance. Yet this application contains no footpaths, no cycle paths, and makes no mention of the really steep hill that the site is on, and which forms part of the access route to the site. It is inconsistent within its own documentation; in one place quoting the increase in parking spaces, in another stating that it will support a sustainable transport plan. The distances cited in the transport report are wrong by an error margin of up to 150%, particularly for those properties proposed for the bottom right hand corner of the field. It is inevitable that cut throughs will be sought to take path of least resistance – either through the Battledown estate, or through St Edwards Preparatory School, exacerbating the

crime problems across the Battledown area and putting school children at potential risk. Other residents have commented in much greater detail on the traffic risks and implications for Ewens Farm and the residents of Oakhurst Rise.

4. Local amenity provision: National planning guidance requires sufficient community and social facilities to be provided; this application is silent on the fact that all local schools are already oversubscribed (primary schools have no places, Balcarras school has insufficient places even for the current catchment area). No resident of Battledown has succeeded in getting a child into Holy Apostles school in recent years unless they are a church goer or have siblings already in the school, including a family who live 3 doors from the school; nor is it possible to get on the oversubscribed Sixways doctors register. Yet Holy Apostles is cited in the transport data – it might be just over 1km away, but it has no spaces! This adds to the fiction of the transport modeling, as current residents in this area are allocated places at schools and doctors' surgeries many miles from their homes. Most drive. Most leave home at the same time of day.

5. Sustainable development and environment: Children have been walking to school through this field for decades – as this picture of two kindergarten students at St Eds from 2010 shows (at slight odds with the description of the field as short unkempt grass, and more in keeping with the organic wildlife rich version). The ecologists report states "The grassland that covers the majority of the site is short and regularly managed making it poor habitats for reptiles." Except the grassland isn't short. It isn't regularly managed – it is cut once a year. And it isn't poor quality – but then the ecology visit was done on a day in February, before the grass grows, and on a day in September; it is cut, annually, just before school goes back in September.



Specific objections

5. Preservation of the setting of Listed Buildings: National planning guidance and **legislation under section 66 of the Listed Buildings Act places a duty on the decision maker to preserve the setting of heritage assets.** The definition of setting in this regard has been contested through to the court of appeal (Steer vs SSCLG [2017, EWHC 1456(admin)]), and the legal opinion is that challenge can be mounted (including to inspector decisions) if insufficient consideration is given to the listed status of properties and the impact of planning decisions on the setting of such properties – where **setting is NOT just visual appearance, but is the historic, social and economic association between the property and its agricultural lands and the environment in which the listed asset is experienced.**

As the owner of one of the listed buildings affected by this development, it is notable that we have not been consulted in any way shape or form, by those seeking to build up to our boundary. We did not get informed of the “public engagement” exercise in January despite a claim that Ashley Road was leafleted (we have yet to find a single neighbour who was benefited from such leafleting).

We have painstakingly restored a Grade II listed building in routine consultation with the heritage department of CBC. We have agreed to retain the stable block of Charlton Manor as a non-domestic building at their (rightful) insistence – but this site would mean that **our Grade 2 listed stables are within 5 metres of a housing estate, rather than a field.** Irrespective to the screening chosen, given the slope of the hill rising above our property we would both have a dramatic lose of privacy and we would lose light from our land that would affect the aspect of the house, the entire layout of the property, and would significantly impact on a Victorian garden and stabling that **has enjoyed much of its current layout since 1864, including linkage to grazing and ‘historic hunting grounds’ through Leasowe** (our property was previously called Leasowe) as evidenced by the maps provided by residents of Oakhurst Rise. We have planning conditions on the type of paint used on our drainpipes. But we would have new build houses that look straight into our bathroom.

Likewise the aspect of the second (Grade 2*) listed building that forms part of the school would be completely changed (notable that this building is a bat roost, although the ecology report is silent on this fact), impacting the experience of the 400 children each year who are educated there, and for whom the lands were donated.

In addition, the ice house documented in maps from at least 1864 and is directly associated with this Grade2* property – it definitively forms part of the setting for that listed building, and therefore that linkage is a material consideration in granting any development approval.

These issues are dismissed as necessary harms to achieve the “benefits” of a new estate by the consultants’ report. Legal opinion is not on their side and we ask

that CBC seek detailed legal and independent heritage opinion before proceeding with the application, on this technicality alone. I trust CBC will see it differently from the opinion expressed in the heritage report procured by the developers, and will treat the development of the curtilage of a listed building with the rigour applied to those of us who own and manage such properties for future generations.



View of the site from Charlton Manor (Grade II listed) showing the waist high summer meadow (suitable for reptiles – despite an ecology report stating that the site is unlikely to contain reptiles because it is routinely mown). Current plans build to this black fence line, which is the property border.

6. Loss of local amenity: we, like other residents enjoy the annual bonfire and firework display that is held on the site. Our children compete in cross country races around the field, and we watch them from our house. We have seen deer, foxes, badgers, 14 species of butterflies, newts, mice, voles, hedgehogs and endless birds of prey (including buzzards, peregrine falcons, kestrels, tawny owls and little owls). Bats are present nightly throughout the summer. We have had photos of many of these sightings if required. Our children have had nature lessons in the field on a weekly basis; they used a kindergarten playground for 2 years each that was bounded by green fields, clean air and the occasional deer to watch. They attend after school forest school clubs that use the site, attend weekly cross country clubs that use the site – they and 400 other children a year from across the county benefit from a unique county amenity. **Loss of this site would be catastrophic to local amenity – and it would run complete counter to both Cheltenham Local Planning Policy (GE2) and NPPF para 74.**

Also on local amenity, we are fortunate enough to still be a family because of the use of the field as an emergency evacuation by air ambulance when my husband was badly burned in an accident 3 years ago. The speedy medical attention was attributed with saving his life.

7. Legal risk associated with building on a known flood risk site: A visit to Ashley Road should demonstrate the claims made in this application are not accurate or viable. Battledown has springs throughout the hill (presumably that is why the Victorians were able to build up here?). One emerges at multiple points on Ashley Road, and moves significantly depending on the level of the water table, highlighting the destabilizing impact a range of development has had on the local aquifers. The water table is changeable and unpredictable – but springs and standing water emerges at multiple points on this site, mostly marked by the tree lines, and standing water is retained extensively across the site after any rain. **Charlton Manor has a spring fed 5,000 gallon Victorian water tank underneath the house. It is currently used to manage the flood risk to this property. Multiple properties bounding this site have similar or specific features pertinent to the fact that we are affected, significantly, by flooding from natural water rises and severe run off down the hill during times of routine rainfall, let alone extreme weather events.** There are extra drainage pipes under basements, flood cellars, sump pumps and more. Many properties on the hill flooded in 2007 and others have annual problems. Properties have needed to mitigate flood related subsidence as well as management of excess run off. Our local experience is completely counter to the technical data that has been presented, although that is notable in its assumptions, modelling, and lack of any precision information about risk management.

The field itself has a standing pond, and at least two further seasonal ponds can form, in addition to the 150 + year old reservoir noted by Oakhurst Road objections. Rain water doesn't drain up here – it comes over the surface and up through the ground. Proper technical assessment (not the current assertion, assumption and 'modelled data') that accepts and identifies how to mitigate not just the current run off and spring rises, but that also mitigates the broader impact of the elimination of so much natural landscaping and mature trees to the water table and therefore the flood risk across Cheltenham is a necessity. It is notable that some parts of this application state that SUDs technology will be the answer to this previously insolvable problem; but the technical report admits that the clay will make use of SUDs inappropriate to this site, and then proposes that a pond will suffice (there is already a pond – it doesn't).

This survey work has to be done prior to taking this application further, given the **NPPF para 103 puts a duty firmly on LPAs to ensure flood risk is not increased elsewhere. CBC have previously documented the fact that development of even a portion of this site could increase flood risk elsewhere AND exacerbate existing flooding problems on the site itself** (see paperwork provided by 29 Oakhurst Rise). As residents of flood affected properties, we have evidence to support our assertion that this site being developed will have a significant impact on run off, on the water table, and that

the homes on the site will be at risk of ground water flooding from the outset. Previous applications to develop this site have agreed with this diagnosis and rejected applications on grounds of flood risk. Given the current known defects in infrastructure (as documented by Severn Trent Water over the drainage system supporting Charlton Court Road), the specific problems of the site and Oakhurst Rise (documented extensively by residents and the Charlton Kings Flood Action Group, including photographic evidence) and the fact that the Environment Agency responsible for the open watercourses downstream of the site cannot be compelled to act, it is technically impossible for CBC to comply with this basic requirement.

I draw the attention of planning officials to the judgements of Simon Brown LJ and Dyson LJ in the Court of Appeal decision in *Kane V New Forest DC* (2002) 1WLR where the defendant planning authority was held not to be immune to a claim of negligence because they were exercising a statutory function under planning legislation. **Where flood damage is foreseeable, probable and in clear breach of NPPF para 103, it is hard to envisage a defence to future claims of negligence being brought against CBC by any affected residents in the area.** Given this site has been refused permission on grounds of flood risk, and Charlton Kings and Cheltenham properties have been extensively damaged in the vicinity of this site and directly downstream, before there is any realistic prospect of this application being allowed, perhaps you would bring this matter to the attention of your insurers and your legal team.

I would further note that above and beyond recent developments that have flooded prior to even being occupied (cf the Leckhampton Daisy Bank sites and others), Cheltenham has prior history of poor development on a steep clay bank. One ended up with the houses sliding down the hill. This site is above a kindergarten playground – it is simply inconceivable that build would be authorized there without detailed technical evaluation of soil structure in wet and dry seasons.

8. Site history: Smaller versions of this application (3.5 acres, 6.5 acres) have been repeatedly rejected on grounds of flood risk, access, visual impact, loss of local amenity and environmental impact. None of those issues has changed. There is no technical solution to water coming up through the ground, nor can clay be made more porous.

Please refuse outline permission at least until there is a technically accurate and policy aligned plan – this is neither.

In summary:

1. Loss of light and overshadowing; our (listed) property will lose 3-8 hours of sunlight a day, 365 days a year, fundamentally changing the setting of the house and its grounds.
2. Loss of privacy; our garden will be overlooked (and we will overlook the proposed gardens of 50% of the proposed properties from our top floor), our bathroom will be the direct view from 3 new builds – and as a listed

building we can't change that, having designed the layout of the house according to the original 1862 vision for the property, and under the strictures of listed building consents! Another 11 neighbours are similarly affected by loss of privacy and significant overlooking, as well as a kindergarten playground occupied daily by 2-4 year old children.

3. Loss of visual amenity; the site is distinctive and visible (and above the natural build line of Charlton Kings), changing the landscape of Charlton Kings irrevocably from green and village like, to urban and built up. The view from across the AONB is impacted significantly. **This impact on the townscape is in contradiction of policy GE2 which prohibits such development on private green space.**
4. 100 homes (2.7 cars per home?) will generate traffic to transform Oakhurst Rise from a quiet cul-de-sac to a busy access route. Loading on the weight restricted roads of Ewens Farm will be significantly affected. The A40 will be (even more) congested. **Again, Cheltenham Borough Council documented the inadequacy of the road system in previous smaller applications, even 30 years ago!**
5. Residents who currently enjoy dark and silent nights and the occasional sound of the school bell or a buzzard screeching overhead will be subject to the noise and light pollution of a 100 home housing estate and the attendant traffic. And the prevailing winds are from the south west, so the currently quiet Battledown area will be worst affected.
6. Mature trees and important hedgerow are being eliminated; there is supposed to be a **strong assumption against important hedgerow removal** in planning applications under the 1997 Hedgerow Regulations.
7. 2 Grade II listed buildings are reduced to plots bordering a building estate, losing their setting, transforming their curtilage, affecting their grounds, and diminishing them in stature as 2 of Cheltenham's original Victorian manor houses, in direct contradiction of national and local planning policy BE9 and section 66 of the Listed Building Act, which states that the setting of listed buildings will be taken into consideration.
8. The site is zoned in Battledown on Cheltenham's local planning documentation (maximum 4.2 houses per hectare). This design uses the density of housing estates from outside Charlton Kings to justify a density of 23 homes per hectare. 5 times the density of the local area build is not adequate consideration of the local setting or character.
9. **No sustainable features exist in the design**; no solar panels, no ground sourced heat pumps, no cycle lanes, no environmentally friendly or carbon neutral features whatsoever.
10. The Cudnall Street and St Mary's conservation area will be impacted; particularly the already noted issues in the local management plan of traffic management and space around the Six Ways junction, with a detrimental impact on its setting and views.
11. The impact on wildlife and the ecology of Charlton Kings would be unquantifiable – **CBC's planning policy states that environmentally significant impact from private green space development is prohibited.** Not that mitigation is appropriate – but that the development should be prohibited.

12. Loss of local amenity is a certainty, impacting on thousands of school children and thousands of local residents, the former, **in direct contradiction of NPPF guidance on school recreational facilities (para 74)**
13. This site has repeatedly **been rejected on grounds of flood risk and poor drainage**. This application has insufficient local detail to assure residents or lawyers that this risk has been mitigated. Cheltenham has suffered catastrophic local floods, and had repeated problems with rising ground water, especially on clay hills. Battledown has springs. They rise in a number of locations across this clay site, and the water table is locally renowned for its instability.

There are a range of technical, policy and legal reasons for sending this application back to the drawing board. Please do so. And please encourage those managing the application to think about the intent behind the NPPF guidance on engagement of local opinion. It isn't a tick box exercise. It matters.



Charlton Manor



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Tracey Crews
Director of Planning
Cheltenham Borough Council
Municipal Offices
Promenade, Cheltenham
Glos, GL50 9SA

AHC/ND/9686

20 June 2018

Dear Ms Crews,

RE: Outline application for residential development of 91 dwellings including access, layout and scale, with all other matters reserved for future consideration on land off Oakhurst Rise, Cheltenham (as revised April 2018). LPA REF. 17/00710/OUT

I am writing this letter to you as Director of Planning at Cheltenham Borough Council on behalf of [REDACTED] the owners and occupiers of Charlton Manor, Ashley Road, Cheltenham, as part of their objection to the above planning application currently in front of your Council. I should emphasize that this letter deals only with heritage matters, as this is the area of my expertise. My qualifications and experience are set out at **Annexe 1** to this letter and I have, of course, visited the site and surrounding area before writing it.

The starting point for my consideration of the application proposals are the two heritage reports prepared on behalf of the applicants, a Built Heritage Statement by CgMs Consulting (revised in April this year) and the Heritage Statement produced by Architectural History & Conservation in November 2017. I have also had regard to the Tabulated Historic Environmental Appraisal prepared by ECUS Ltd in December 2017 on behalf of the Council as part of its identification of the

site in the Local Plan as one suitable for housing, albeit for a much lower number, together with their 'clarification' letter to the Council dated 28 February 2018.

Although on first impression, these reports might appear to be thoroughly researched and carefully prepared documents, they are actually in many ways both flawed and inadequate, particularly with regard to the scant attention they pay to the clearly adverse impact the scheme they support would have on the setting of Charlton Manor as a Grade II listed building.

To begin with the Architectural History & Conservation report, as this purports in its Introduction (paragraph 1.2) '*...to establish the significance of the Grade II* St. Edward's School in heritage terms and the likely impact any schemes for developing the field to the north (the application site) would have on the heritage asset*', it might initially be possible to forgive it for not even mentioning Charlton Manor in its text.

When however one notes that Charlton Manor is clearly visible in plate 16 of the report and reads the report's conclusion that '*There is no objection in principle to the development to the north and north-west of The Oaklands (the original name of the Grade II* listed building). The proposed development site was never part of the historic parkland of The Oaklands*', tolerance for the omission of any consideration at all being given to the setting of Charlton Manor in this report begins to lessen.

It may well be that the scope of Architectural History & Conservation's instruction from the applicant was a narrow one (in paragraph 1.2 of their report, they freely acknowledge that their brief was to '*take into account the comments made on 30 October 2017 to Cheltenham Borough Council about the proposed development scheme by the Historic England Inspector and will counter the objections raised therein and seek to justify the development*'), but simply to focus on this one issue without (apparently) giving any consideration at all to the setting of another important nearby listed building (i.e. Charlton Manor) does not appear to me to be either helpful or appropriate.

Indeed, in their anxiety to demonstrate that the application site was not originally parkland associated with The Oaklands and from there to conclude (paragraph

5.1 of their report) '*...that, subject to the shelterbelt (to the north of Oaklands) being restored, there would be very little, if any, harm caused to the setting of the Grade II* house. The development would be in accordance with National and Local Policy*', this significant omission could be extremely damaging to the chances of retaining what is significant about the setting of Charlton Manor if allowed to remain unchallenged.

Before turning to this issue however, I should emphasize that, notwithstanding the conclusions of Architectural History & Conservation's report and the CgMs letter dated 1 November to your Council rebutting Historic England's objections to the application, I very much share Historic England's concerns over the significant harm that would undoubtedly be caused to the setting of the Grade II* listed school building if the proposals were to go ahead.

Indeed, in my professional opinion (my qualifications and experience are set out at Annexe 1), Historic England have, despite the attempts made by the applicants' three separate firms of heritage consultants to discredit their comments, provided your Council with entirely coherent and sustainable reasons for rejecting the application proposals simply on the severely adverse impact they would have on the setting of the Grade II* listed school building alone.

To that clearly harmful impact, must be added the even more harmful effect the application proposals would have on the setting of Charlton Manor.

Unlike the Grade II* listed school building, which I accept when it was built as a private house was not oriented to face the application site, Charlton Manor was clearly sited where it is in order to take full advantage of the views over the adjoining fields and the area beyond.

Charlton Manor (originally known as Simla Lodge – presumably a reference to its airy, elevated position – and later Leasowe before taking its present name) was first built in 1864, possibly to the designs of Henry Dangerfield, Cheltenham Borough Engineer, who laid out the Battledown Estate. As noted in the Historic England list entry (Charlton Manor was first listed in 1983 at a time when many Victorian houses of this type were not deemed to meet the criteria for statutory listing), the house was the first to be built on the Estate.

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The CgMs Built Heritage Statement (revised in April this year) does refer at various points to Charlton Manor but not in a way that suggests its authors have any real appreciation of either its significance and (perhaps even more disturbingly) of the highly adverse impact the application proposals would have on that significance. In this connection, I understand from my clients that, in common with the other heritage consultants employed by the applicants, no representative from CgMs sought access to their property as part of preparing their report.

It might well be that CgMs would argue that such access was not necessary given that the site's direct proximity and visibility to and from the listed building has enabled them to form an opinion on the likely impact of the proposals on its setting, but this would be to seriously miss the point.

As even the description of the building provided in the CgMs report (paragraphs 3.3.22-3.3.27) suggests, this is a case where the rear elevations of the house are at least as important in architectural and historic terms as the front one. This is reflected not only in the architectural detailing and treatment of the rear elevations, but also in the way in which they have been sited precisely where they are to gain maximum benefit of the open views looking south-west and west from the property.

The main ground- and first-floor rooms of the house are all at the back of the house, their large windows clearly designed to take advantages of the fine views from them over the house's garden, the adjoining fields (the application site) and the area beyond, which include the grounds of the school, the Cotswold escarpment and the Black Mountains beyond.

In addition to these rooms, there is a two-storey canted bay window projection (incorrectly referred to as oriel window in the CgMs report) in the angle between the main rear elevation and the house's rear wing. Internally, this is located near the principal staircase and its original purpose (one which it continues to serve today) was to cast additional light into the staircase area, and particularly on the first floor, to provide additional views out from the house.

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Asset Heritage Consulting Ltd: Registration No: 07502061

Perhaps unsurprisingly, given that they have made no effort to visit the property themselves, none of these critical points has been identified by the authors of the CgMs report.

Their analysis of the significance of the site as part of the setting of the house, in terms of the contribution it makes when viewed from the field is similarly partial, if not severely flawed. At paragraph 3.3.26, for instance, it is noted that *'The Site also forms part of the wider setting, and contributes to the significance of the asset through providing a degree of seclusion, but also open views which give the property a feeling of rurality (before in the very next sentence saying that) This is however secondary to other values in contributing to the significance of the Manor'*.

In light of the inadequate attention paid to what is significant about the setting of Charlton Manor in heritage terms, the section of the CgMs report entitled 'Assessment of Impact', also fails to pass muster, the paragraph on Charlton Manor (paragraph 4.2.7) being quoted here in full, with my observations underlined in brackets alongside: *'Charlton Manor currently experiences open views out from the rear over the open land and this will be largely (almost completely) removed with the proposed development. Additional tree planting will be provided between the Manor and the development, filtering views towards the built form even in winter months, in order to mitigate harm. (Here the authors of the report would do well to be aware of the advice in Historic England's latest guidance on 'setting': 'The Setting of Heritage Assets- Historic Environment Good Practice Advice in Planning Note 3, (2nd. edn. Dec. 2017) paragraph 40 that: 'As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design'.*

The proposed built form within the north east reaches of the Site, closest to the listed building, is also lower in density than the remainder of the development, with large gardens intended to provide a buffer against the listed building (this appears to me to be further acknowledgement of the severe harm caused to the setting of Charlton Manor).

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The asset was originally constructed as part of the Battledown Estate development, and whilst its name suggests that it originally had large grounds, the plot of the asset has always remained consistent, with the Site never having any functional connection to the asset. (The name Charlton Manor is a relatively recent one and the house was never a 'manor' in the true sense of the word. What is more, as the historic and more recent OS maps in CgMs' own report show, the boundary between the house and the field to the east (the application site) remains exactly as it did at the time of the house's construction in 1864).

It is therefore considered that the proximity of the proposed development to Charlton Manor will result in some harm to the setting of the heritage asset due to the loss of views. The principal significance of the Manor is its architecture and historic associations with the Battledown Estate. The views to the rear, whilst providing a degree of context and setting, are not identified as a key contributor to the significance of the Manor and consequently the impact of the proposed development will be moderate and result in less than substantial harm. (I trust that what I have written earlier in this letter will prove sufficient to dispel this ill-conceived and unjustifiable opinion).

This should be weighed against the public benefits of the proposals set out in the planning statement, in line with paragraph 134 of the NPPF' (It is notable that neither CgMs, nor the applicants' other heritage consultants, pray in aid any heritage benefit that might flow from the application proposals. Certainly, I can see none, while for my part it is clear that the degree of harm caused is sufficient for this to outweigh any other public benefits that might be considered to accrue from the development proposals).

In this critique of the various heritage reports (the Tabulated Historic Environmental Appraisal prepared by ECUS provides nothing of substance as regards the application site) submitted on behalf of the appellants it is important to emphasize that I have only picked out the elements with which I most strongly disagree, but it certainly should not be inferred from this that I agree with the other points they make that I have not considered here.

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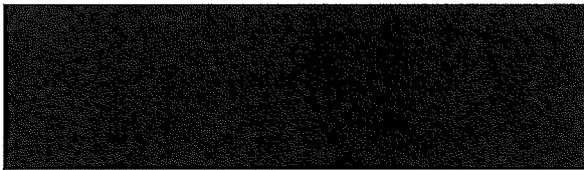
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These issues include consideration of inter-visibility and the heritage significance of views between the application site and the St. Mary's Conservation Area, together with the proposed treatment of the ice house and the ancient north-south field boundary on the application site itself.

Given the significance of the heritage issues raised in this letter, coupled with the fact that as I understand from my clients (apart from the strong objections raised by Historic England to the proposals), this is the first time there has been any independent professional analysis of the 'heritage views' provided to the Council on behalf of the applicants, I would very much welcome a meeting with you and the case officer to discuss the way forward.

I look forward to hearing from you.

Yours sincerely



Dr Nicholas Doggett, FSA, MCIFA, IHBC
Managing Director

Email: nicholas.doggett@assetheritage.co.uk

Cc. Historic England

Enc: Annexe 1: Qualifications & Experience

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ANNEXE 1

QUALIFICATIONS AND EXPERIENCE

NICHOLAS DAVID BARTHOLOMEW DOGGETT, BA, Ph.D., Cert. Archaeol., FSA, MCIfA, IHBC, Managing Director and Head of Asset Heritage Consulting:

After reading archaeology and history at the University of Southampton and completing a postgraduate qualification at the University of Oxford I worked for several years as an archaeologist, both in the United Kingdom and abroad. From 1984 to 1988 I was employed on the English Heritage Resurvey of listed buildings in Shropshire, Oxfordshire and Cornwall. From 1988 to 1989 I was a member of the Conservation Team at Bedfordshire County Council before joining South Oxfordshire District Council, where I was head of Conservation from 1991 to 2002, before leaving for CgMs in October 2002, of which I was a Director from 2004.

I left CgMs in November 2010 to establish Asset Heritage Consulting, a specialist heritage consultancy based in Oxford but working across the country.

My doctoral research on 16th-century English architecture was completed in 1997 and has subsequently been published. I am a member of the Institute of Field Archaeologists and the Institute of Historic Building Conservation.

I am the author of two books and several articles and papers on archaeology, building conservation and architectural history, including contributions to the *Oxford Dictionary of National Biography*, and have given lectures and taught on summer schools on these subjects for Oxford University Department of Continuing Education and many other organizations. I was formerly committee secretary of the Buildings Special Interest Group of the Chartered Institute for Archaeologists and am currently a committee member of the Oxfordshire Architectural & Historical Society. I was elected a Fellow of the Society of Antiquaries of London in October 2016.

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In the private sector my clients have included Bournville Village Trust, Oxford colleges, several local planning authorities, the Metropolitan Police, the Home Office and major house builders. I have also acted as a consultant for English Heritage and Cadw on applications for listing, re-grading, de-listing and Certificates of Immunity. I have given evidence relating to the historic built environment at numerous public inquiries and hearings and in court, both for appellants, third parties and local planning authorities.

I am, of course, familiar with the application site and its surroundings.

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Cheltenham BC Planning Application 17/00710/OUT

Public comment response

I would like to formally comment on the above application. I am deeply against this development and agree with the objections already listed to this date. Hence I will cover additional areas.

This covers 3 distinct areas: -

1. The quality of the stakeholder engagement so far.
2. The outline planning application in general.
3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to our property.

Hence in detail: -

1. The quality of the stakeholder engagement so far

- 1.1. I believe that the community stakeholder engagement was extremely poor. As a Birchley Road Battledown resident with my property forming part of the northern boundary of the proposed site, Syvret Media and SF Planning were unable to notify us of the proposed public exhibition, on challenge they stated "they could not find the letter box." In itself this may seem trivial, but I believe it shows a good example of the poor quality work, low cost work done by the developer and his choice of consultants and advisors.
- 1.2. The public exhibition was not well managed and the developers and advisors gave arrogant and off-hand answers – such as; "the trees with TPOs are of no merit, so they will come down."
- 1.3. The conclusions listed in the SF Planning Statement of community Involvement are astonishing for their bias. From their own survey only 3% of those surveyed would be "mindful to support the development" – this is covered in the conclusion as a "very enthusiastic public consultation process."
- 1.4. The conclusions state that following the process the application has been changed in a number of "significant ways". I strongly dispute this statement. At best, there has been some minor changes, but fundamentally the proposed development still has 100 houses, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities.
- 1.5. During the initial consultation period I entered email communication with Syvret Media and SF Planning (20 January 2017). I raised the following issues which have been ignored in subsequent submissions: -
 - 1.5.1. Underground springs and complex existing drainage arrangements
 - 1.5.2. Lack of secondary access for the site
 - 1.5.3. Loss of amenity for St Edwards School
 - 1.5.4. Provision of access during winter period of ice and snow
 - 1.5.5. I offered to allow my property to be used for Landscape and Visual Aspect work. This was ignored.

- 1.6. As such I strongly disagree that the process has met the requirements of NPPF as stated in the SF Planning conclusions paragraph 5.3 and 5.4, I believe the stakeholder engagement has been a total failure.

2. The outline planning application in general

- 2.1. The proposed development fails on a number of critical areas that have not been considered in the application documents.
- 2.2. I find it inconceivable that for a development of this size and complexity there is only 1 access point. This is through Oakhurst Rise which was never designed for this purpose. Any form of incident (fire, flood, accident, road repair, large delivery) on Oakhurst Rise will render the entire development site inaccessible by car. This will result in residents abandoning their vehicles in surrounding streets and walking to their homes. In winter periods of ice and snow, Oakhurst Rise will have to take the full traffic for the estate. As a Battledown resident myself, I can confirm that even on gritted estate roads, properties can only be accessed by 4x4 vehicles or cars fitted with snow chains.
- 2.3. The topography of the site, though detailed is not commented upon that the internal roads on the proposed development will have a gradients of around 1 in 6 or 17%. This is extremely steep and will be a challenge for cyclists and walkers. The developers in the Residential Travel Plan are proposing that cycling and walking is used as way to reduce car travel. Though I agree this is a great idea for a flat site, the document is wholly inadequate as it does not take any notice of the topography of the site. It is quite apparent that the author of the report either never visited the site or was on instruction to avoid any mention of the gradients involved. The steep gradients will encourage greater car use, effectively resulting in the entire transport assessments worthless. Another example of an extremely ill-conceived project, biased reports from poor quality consultants and advisors.
- 2.4. As an example of the inadequacy of the access to the site, consider the following example. A parent on the new development purchase a property in the south east of the site, say location 81. They want to meet their child from St Edwards School, effectively close to bottom of their garden. There is no access to the school, so they have to travel up the development to Oakhurst Rise, with steep gradients. Come down Oakhurst Rise, Beaufort Road, along the A40 London Road, up Greenway Lane and up Ashley Road. In total over a mile. Then repeat the entire trip back home. As such they will inevitably use the car. This will add traffic to an already over-burdened road system at school start and finish time. Clearly, people will not tolerate this and as such holes will be made in hedges, fences etc which will impact on the security of the school and the proposed development.
- 2.5. The proposed development site is clay, with steep slopes. We know there are natural springs in the area and complex drainage systems. The preliminary ground investigation report, basically identifies that the site doesn't drain and as such complex drainage solutions will need to be found. From my perspective, this will inevitably lead to flooding on the lower aspects of the proposed site and definitely to lower lying properties. A comprehensive comment from 29 Oakhurst Rise, details underground springs in the area and list them on a map. I can confirm that a neighbouring property has an underground spring which appears in their basement, requiring constant pumping. At the bottom of our garden and just in the development site is a

pond, listed in the Preliminary Ground Investigation Report and detailed as photo 8. This seems to be fed by springs and or ground water. No mention is made in the report as to what is done with this pond. As it appears to be in the back garden of plot 69 and/or 70 – a potential health and safety issue for families and a flood risk.

- 2.6. The Landscape and Visual Aspect report is heavily biased, using selective irrelevant locations and a thoroughly poor piece of work.
- 2.7. The loss of flora and fauna in the site is significant, with again inconsistent and biased analysis.
- 2.8. Cheltenham Planning Policy GE 2; Private Green Space states *“The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.”* So does the proposed development site meet the requirements of significant townscape and environmental contribution? It clearly has a unique environmental impact with a wide range of flora and fauna, it is kept in semi-wild condition, with once per year grass cutting and occasional tree surgery. It is a unique site that it is surrounded by buildings on all 4 sides, it is visible from the AONB areas. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend that any normal person would agree the proposed development site meets this criteria – hence the application should be immediately rejected.

3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to my property.

- 3.1. Our property is Meadow View, Birchley Road. Under the proposed development, I will have 4 new properties that border my property, these are plots 67, 68, 69 and 70. These will be large 2 story detached properties, but do not deem to be part of the “low density housing area” that start immediately to the east.
- 3.2. On the boundary are 4 ancient English Oak Trees subject to TPOs. These are classified differently in the arboriculturalist’s report as T19 and G1 (comprising 3 English Oaks), both of B3 classification. The Tree Assessment and Inspection Survey for Bat Roost Potential, only found 3 trees (not 4), all deemed tree of moderate potential. It is unbelievable that if a dawn and dusk survey was carried out by the trees, that the experts could not correctly count the number of trees. This questions entirely their competence to carry out such fieldwork.
- 3.3. In the arboriculturalist’s report, he at least recognizes the 4 English Oaks with TPOs on the boundary, though what he proposes is unclear and inconsistent through his report. It appears as if some of them may be retained but others cut down. This is also reflected through the Landscape Strategy Plan and the Site Layout Plan. My personal view is that all the trees on site with TPO should be left alone.
- 3.4. In the Ecological Appraisal, section 3.14, photo 12, the ecologist recognizes the pond on our boundary. Claiming it was not there in September 2016, but was a large pond in February 2017. This pond is clearly identified within the Preliminary Ground Investigation Report drawing 4130/2/2 dated 8/11/16. However the ecologist describes it as an ephemeral pond (meaning - these **ponds** are depressions with impeded drainage, usually in forest landscapes, that hold water for a period of time following snowmelt and spring rains but typically dry out by mid-summer). Having lived in Meadow View for 8 years, I can assure you that the pond level does vary and will dry out during dry summer periods, however for most of the year it is wet

and a source of life and used for birds and animals to drink. I do not know how this pond works, we do know there are springs in the area and the level increase rapidly after rainfall. The ecologist will be aware that ephemeral or vernal pools, do not have fish in them and as such can be excellent breeding grounds for amphibians and invertebrates, as we have seen. There is no mention in the planning documentation as to what is proposed for this pond. At present it appears to be in the back garden of either/or plots 69 or 70. The County Tree Officer in his report mentions this pond from his survey in January 2017 and states it would "not be appropriate in a rear garden". Yet again this shows poor quality work by the developer and his advisors, inconsistencies and avoiding difficult and complex issues. I have included photos from 4th February 2017 and 21 August 2017, both showing the pond full of water.

- 3.5. The Landscape and Visual Aspect Report, makes general mention of the impact the development will have on residents of Birchley Road, though it specifically avoids any mention of the most impacted properties such as Meadow View and Charlton Manor. This is a major oversight in the analysis, creating a clearly biased document. As stated in section 1, I offered the developers to use my location for their visual aspect analysis and before and after drawings. This was ignored, presumably because it would not help their cause. See attached "homemade" impression. Figure 1.
- 3.6. If there are such major problems with the proposed development for the 4 properties that border my property, it is reasonable to assume that the lack of thought, inconsistencies and bad design cover the entire proposed development.

In summary, the application fails for a multitude of reasons

- The stakeholder engagement has been poor, with few matters of substance being correctly considered.
- There are major oversights and omissions in the proposal in general
- The traffic issues have not been correctly considered, especially with the single access and topography of the site
- Drainage and flooding risk have not been correctly considered
- The quality of work from the consultants and advisors is inconsistent, biased, lacking in rigour
- Issues local to our property are totally inadequate, in particular the destruction of trees, the pond, drainage and visual impact
- The developer should apologize to the community for producing such an incompetent and poor proposal that has wasted our time

I would propose that the application is rejected on numerous grounds, the site is listed as a Conservation Area for future generations to enjoy and for preservation of the flora and fauna.


Meadow View, Birchley Road, Battledown, Cheltenham GL52 6NY

Figure 1

Before and after visual impact assessment from Meadow View looking south

Current visual situation



After proposed plot 67 and 68 built and TPO trees removed



Figure 2 – The Pond – 21 August 2017 (top) 4 February 2017 (below)



Meadow View response to updated application 17/00710/OUT

I am deeply frustrated and annoyed with the ongoing process!

I strongly objected to the 2017 application and the 2018 application is equally unacceptable to me.

On 8 September 2017, I produced a detailed response to the application. At that time, I covered the following 3 areas: -

1. The quality of the stakeholder engagement so far.
2. The outline planning application in general.
3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to our property.

Hence, my new comment will follow the same approach.

1. The quality of the stakeholder engagement so far

- 1.1. In 2017, the community stakeholder engagement was extremely poor. In 2018 it has moved from extremely poor to non-existent. The developers, both William Morrison and the Carmelites have failed to engage at all. Clearly, they have spent significant time trying to “tinker” with the application, but it is unacceptable not to try a repeat a stakeholder engagement process. On this ground alone, the application should be rejected as they have failed to follow normal process as outlined in NPPF.
- 1.2. The recent modifications to the planning application have not fundamentally addressed any of the major defects. the proposed development still has 100 dwellings, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities.

2. The outline planning application in general

- 2.1. The proposed development still fails on many critical areas that have not been considered in the application documents.
- 2.2. I find it inconceivable that for a development of this size and complexity there is only 1 access point. This is through Oakhurst Rise which was never designed for this purpose. Any form of incident (fire, flood, accident, road repair, large delivery) on Oakhurst Rise will render the entire development site inaccessible by car. This will result in residents abandoning their vehicles in surrounding streets and walking to their homes. In winter periods of ice and snow (as we are experiencing late February / early March 2018), Oakhurst Rise will have to take the full traffic for the estate. As a Battledown resident myself, I can confirm that even on gritted estate roads, properties can only be accessed by 4x4 vehicles or cars fitted with snow chains.
- 2.3. The Transport Assessment Rebuttal is an amazing piece of work, full of inconsistencies and remarkable conclusions. There is no sign of independence of thought in this document. It is interesting to see the proposed A40 / Hales Road junction improvement. Which I think the

developer is suggesting he will cover with a S106. I would suggest that the improvements suggested are totally inadequate for a development of this scale. The correct S106 should cover road widening, traffic management, traffic calming, all the way from Oakhurst Rise to the A40 junction. However, I believe this would make the whole development hugely expensive.

- 2.4. The issues associated topography of the site have not been adequately considered in the updated application. The internal roads on the proposed development will have a gradient of around 1 in 6 or 17%. This is extremely steep and will be a challenge for cyclists and walkers. The developers in the Residential Travel Plan are proposing that cycling and walking is used as way to reduce car travel. Though I agree this is a great idea for a flat site, the document is wholly inadequate as it does not take any notice of the topography of the site. The steep gradients will encourage greater car use, effectively resulting in the entire transport assessments worthless. Another example of an extremely ill-conceived project, biased reports from poor quality consultants and advisors.
- 2.5. As an example of the inadequacy of the access to the site, consider the following example. A parent on the new development purchase a property in the south east of the site, say location 81. They want to meet their child from St Edwards School, effectively close to bottom of their garden. There is no access to the school, so they must travel up the development to Oakhurst Rise, with steep gradients. Come down Oakhurst Rise, Beaufort Road, along the A40 London Road, up Greenway Lane and up Ashley Road. In total over a mile. Then repeat the entire trip back home. As such they will inevitably use the car. This will add traffic to an already over-burdened road system at school start and finish time. Clearly, people will not tolerate this and as such holes will be made in hedges, fences etc. which will impact on the security of the school and the proposed development.
- 2.6. The proposed development site is clay, with steep slopes. We know there are natural springs in the area and complex drainage systems. The preliminary ground investigation report, basically identifies that the site doesn't drain and as such complex drainage solutions will need to be found. From my perspective, this will inevitably lead to flooding on the lower aspects of the proposed site and to lower lying properties. A comprehensive comment from 29 Oakhurst Rise, details underground springs in the area and list them on a map. I can confirm that a neighbouring property has an underground spring which appears in their basement, requiring constant pumping. At the bottom of our garden and just in the development site is a pond, listed in the Preliminary Ground Investigation Report and detailed as photo 8. This seems to be fed by springs and or ground water. No mention is made in the report as to what is done with this pond.
- 2.7. The Landscape and Visual Aspect report is still heavily biased, using selective irrelevant locations and a thoroughly poor piece of work.
- 2.8. The loss of flora and fauna in the site is still significant, with again inconsistent and biased analysis. A few of the trees with TPOs are now preserved, but their roots will be close to foundations, which will lead to ongoing problems.
- 2.9. Cheltenham Planning Policy GE 2; Private Green Space states "*The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.*" The developer has made no comment on this issue. Presumably because this is an immediate "red flag" to the development. It is a

wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend the application should be immediately rejected.

3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to my property.

- 3.1. Our property is Meadow View, Birchley Road. Under the proposed development, I will have 4 new properties that border my property, these are plots 66, 67, 68 and 70.
- 3.2. On the boundary are 4 ancient English Oak Trees subject to TPOs. These are classified differently in the arboriculturalist's report as T19 and G1 (comprising 3 English Oaks), both of B3 classification. The Tree Assessment and Inspection Survey for Bat Roost Potential, only found 3 trees (not 4), all deemed tree of moderate potential. It is unbelievable that if a dawn and dusk survey was carried out by the trees, that the experts could not correctly count the number of trees. This questions entirely their competence to carry out such fieldwork.
- 3.3. In the arboriculturalist's updated report, he at least recognizes the 4 English Oaks with TPOs on the boundary, though what he proposes is unclear. It appears as if some of them may be some impact on them, but they will certainly be in the back gardens of 68 and 69.
- 3.4. In the Ecological Appraisal, section 3.14, photo 12, the ecologist recognizes the pond on our boundary. Claiming it was not there in September 2016 but was a large pond in February 2017. This pond is clearly identified within the Preliminary Ground Investigation Report drawing 4130/2/2 dated 8/11/16. However, the ecologist describes it as an ephemeral pond (meaning - these **ponds** are depressions with impeded drainage, usually in forest landscapes, that hold water for a period following snowmelt and spring rains but typically dry out by mid-summer). Having lived in Meadow View for 8 years, I can assure you that the pond level does vary and will dry out during dry summer periods, however for most of the year it is wet and a source of life and used for birds and animals to drink. I do not know how this pond works, we do know there are springs in the area and the level increase rapidly after rainfall. The ecologist will be aware that ephemeral or vernal pools, do not have fish in them and as such can be excellent breeding grounds for amphibians and invertebrates, as we have seen. There is no mention in the planning documentation as to what is proposed for this pond. At present it appears to be in the back garden of plot 68. The County Tree Officer in his report mentions this pond from his survey in January 2017 and states it would "not be appropriate in a rear garden". Yet again this shows poor quality work by the developer and his advisors, inconsistencies and avoiding difficult and complex issues.
- 3.5. I do have major issues with the Ecologists report on HSI assessment of the pond on the boundary. He estimates that the pond has a drying factor of 0.01. From my understanding of the lowest value is 0.1. However, having lived in the property for over 8 years and discussed with the previous owners, this pond is generally wet and occasionally dries in drought period. As such, I would suggest a pond drying score of 0.2. This has a significant impact on the HSI with a revised score of 0.51. This means the pond is classified as "below average." Which is very different to "poor" and suggest a possible habitat for Great Crested Newts. This is assuming I agree with his other classifications such as shade, terrestrial habitat etc. It is

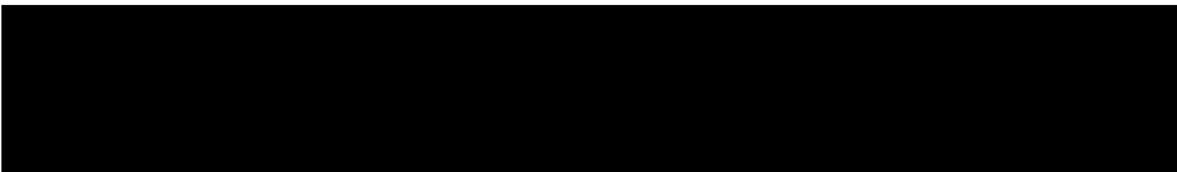
unfathomable that the Ecologist has not tried to discuss this pond with me but has formed his own opinions based upon 2 site visits. Another example of poor and biased reporting paid for by the developer.

- 3.6. The Landscape and Visual Aspect Report, makes general mention of the impact the development will have on residents of Birchley Road, though it specifically avoids any mention of the most impacted properties such as Meadow View and Charlton Manor. This is a major oversight in the analysis, creating a clearly biased document. As stated in section 1, I offered the developers to use my location for their visual aspect analysis and before and after drawings. This was ignored, presumably because it would not help their cause. I repeat, I would be delighted to offer my property for visual aspect analysis.
- 3.7. If there are such major problems with the proposed development for the 4 properties that border my property, it is reasonable to assume that the lack of thought, inconsistencies and bad design cover the entire proposed development.

In summary, the application still fails for a multitude of reasons

- The stakeholder engagement has gone from poor to non-existent.
- There are major oversights and omissions in the proposal in general
- The traffic issues have not been correctly considered, especially with the single access and topography of the site
- Drainage and flooding risk have not been correctly considered
- The quality of work from the consultants and advisors is inconsistent, biased, lacking in rigour
- Issues local to our property are totally inadequate, in particular the destruction of trees, the pond, drainage and visual impact.
- Since the initial application, this site has been considered as part of the Cheltenham Plan – Pre-submission Consultation. In this document, it considers that 25 “units” could be considered for the site. This would appear to more realistic number. However, any development is in breach of Cheltenham Planning Policy GE 2; Private Green Space states *“The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.”* I will be responding to this consultation separately.
- The developer should apologize to the community for producing such an incompetent and poor proposal that has wasted our time and continues to waste time.

I would re-iterate my proposal that the application is rejected on numerous grounds, the site is listed as a Conservation Area for future generations to enjoy and for preservation of the flora and fauna.



Meadow View response to 3rd updated application 17/00710/OUT

So yet again, the stakeholders and neighbours involved in the Oakhurst Rise proposed development need to respond to now the 3rd minor variation of the developer's and the Carmelite Charitable Trust's ambition to destroy a natural habitat for personal enrichment.

The changes detailed in this third version are relatively minor and do not address the fundamental weaknesses of the application.

In addition, as a concerned member of the public, I have responded to the Housing and Mixed-Use Topic Paper - The Plan 2011-2031 (Issued CBC January 2018). In this document the plan considers the site could possibly be considered for 25 properties. Personally, I have objected to that concept as well.

However, I cannot understand why both the developer and CBC, is allowing 17/00710/OUT to be determined in advance of the Cheltenham Plan, especially for such a contentious and ill-conceived application.

As this is the third response, I will state that I strongly objected to the 2017 application and the first 2018 application, this second 2018 revision is still totally unacceptable to me.

In March 2018, I covered the following 3 areas: -

1. The quality of the stakeholder engagement so far.
2. The outline planning application in general.
3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to our property.

Hence, my new comments will follow the same approach.

1. The quality of the stakeholder engagement so far

- 1.1. In 2017, the community stakeholder engagement was extremely poor. In 2018 it has moved from extremely poor to non-existent. The second 2018 application has had absolutely no stakeholder engagement, other than submitting a large number of slightly revised documents to the planning portal. The developers, both William Morrison and the Carmelite Charitable Trust have failed to engage at all. Clearly, they have spent significant time trying to "tinker" with the application, but it is unacceptable not to try a repeat a stakeholder engagement process. On this ground alone, the application should be rejected as they have failed to follow normal process as outlined in NPPF.
- 1.2. The recent modifications to the planning application have not fundamentally addressed any of the major defects. The proposed development now has 91 dwellings, a reduction of 9%, still has only one inadequate transport access point, is still destroying natural habitat, still gives significant flood risk, is still built on a steeply sloping site of clay, is still highly visible from offsite locations and is still destroying an environment used by the St Edwards school for environmental and sporting activities. The modifications involved are at best "minor cosmetic."

2. The outline planning application in general

- 2.1. The proposed development still fails on many critical areas that have not been considered in the application documents.
- 2.2. I find it inconceivable that for a development of this size and complexity there is only one access point. Though the number of properties is reduced by 9%, I do not consider this will make any material improvement to the traffic flows. Oakhurst Rise and surrounding roads were never designed for this purpose.
- 2.3. The issues associated with the topography of the site have not been adequately considered in the updated application. The internal roads on the proposed development will have a maximum gradient of around 1 in 6 or 17%.
- 2.4. The proposed development site is clay, with steep slopes. We know there are natural springs in the area and complex drainage systems. The preliminary ground investigation report, basically identifies that the site doesn't drain and as such complex drainage solutions will need to be found. From my perspective, this will inevitably lead to flooding on the lower aspects of the proposed site and to lower lying properties. At the bottom of our garden and just in the development site is a pond, this is shown in the OS maps, Figure 3 and 6 in the Simpson report (Flood Risk Assessment). No mention is made in the report as to what is to be done with this pond. This seems unbelievable that a professional firm such as Simpson, would not review the status of the current ponds on site. It would appear as this will be in the back garden of plots 66 and 67, which will be a safety issue for the owners. I strongly believe this pond will lead to flooding of lower lying properties after periods of heavy rain.
- 2.5. There has been no update to the Ecologists report. There are so many issues with the ecological management of the site, it is remarkable that this document has not been reviewed and updated.
- 2.6. The revised Tree Survey and Landscape Strategy continues to be a poor document with inaccuracies, inconsistencies and biased analysis. The improvements are minor and cosmetic in nature.
- 2.7. Cheltenham Planning Policy GE 2; Private Green Space states "*The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.*" The developer has still made no comment on this issue. Presumably because this is an immediate "red flag" to the development. It is a wonderful undeveloped area and forms part of the critical green space that goes to form Cheltenham. As such I contend the application should be immediately rejected.

3. Specific aspects of the planning application which pertain to the proposed development that forms the boundary to my property.

- 3.1. Our property is Meadow View, Birchley Road. Under the updated and proposed development, I will have four new properties that border my property, these are plots 64, 65, 66 and 67.
- 3.2. On the boundary are 4 ancient English Oak Trees subject to TPOs. These are classified differently in the arboriculturalist's report as T19 and G1 (comprising 3 English Oaks), both of B3 classification.

- 3.3. In the arboriculturalist's updated report, he now at least recognizes the 4 English Oaks with TPOs on the boundary, I think he is proposing to leave them. However their roots will be close to the construction of plots 65, 66 and 67, which will probably lead to damage or ultimately death to these ancient oak trees. His tables and his plans are inconsistent in labelling. Another example of poor quality work from a supposedly professional arboriculturist.
- 3.4. There is no update Ecological Appraisal. This is astonishing considering the errors and inconsistencies that I detailed in my response in March 2018. As stated in 2.4 above, there is no clarity on what is proposed for the pond on the boundary of my property. From my perspective, this pond provides critical drainage for Birchley Road properties and higher ground within the Battledown Estate, plus it is a wonderful easy access point for the local wildlife and has a high potential for amphibians. It is used by St Edward school for environmental purposes.
- 3.5. If there are such major problems with the proposed development for the four properties that border my property, it is reasonable to assume that the lack of thought, inconsistencies and bad design cover the entire proposed development.

In summary, the application still fails for a multitude of reasons

- The stakeholder engagement continues to be non-existent.
- There are major oversights and omissions in the proposal in general, the reduction in dwelling numbers by 9% does not materially change the application
- The traffic issues have still not been correctly considered, especially with the single access and topography of the site
- Drainage and flooding risk have not been correctly considered
- The quality of work from the consultants and advisors is inconsistent, biased, lacking in rigour
- Issues local to our property are totally inadequate, in particular the management of trees with TPOs, the proposal for the existing pond, drainage and visual impact.
- This development is in breach of Cheltenham Planning Policy GE 2; Private Green Space states *"The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted."* I fail to understand how CBC can continue to consider this application.
- The developer should apologize to the community for producing such an incompetent and poor proposal that has generated so much anger and frustration. Let us hope that the developer and the Carmelite Charitable Trust recognize this application will never succeed and they withdraw before they further alienate themselves from the community.

I would re-iterate my proposal that the application is rejected on numerous grounds and the site should be listed as a Conservation Area for future generations to enjoy and for preservation of the flora and fauna.

[REDACTED]

[REDACTED]

Dear Sir/Madam

I am a Resident living in OAKHURST Rise and I am horrified to think that anyone is ever thinking about putting 100 houses at the end of our road. We already have problems with traffic now because people buying their groceries on line clogging the road up. Then the disabled lady ^{who lives} in the road who is brought home in a vehicle with chair lift but that (can't be helped) then dropping her off and having to park in middle of the road this happens 3-4 times a week again the road is blocked not a problem but will be when 100 houses are proposed.

Also I am worried about flooding, trees fields and old trees absorb a lot of water we see now when it rains the water running down the road when it paws with rain its like a waterfall down the road. We know COXS meadow flood relief can't cope with a flood COS were seen what happens and where water goes into peoples houses.

There are a lot of wild life and superb old trees on these fields too Badger Setts ~~Deers~~ Deers Birds etc

ALSO

Policy GE2: Private Green Space (Supplementary Planning guidance June 2009) available on the CBC site.)

The development of private green areas,

PTO

open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.

If this does not apply to this site where does it apply then?

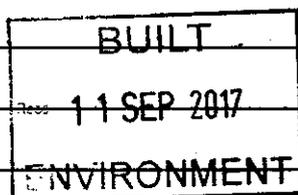
Trying to get on to London Road, Hales Road in peak times are bad enough now this will only make matters worse

Using OAKHURST Rise to access these houses as the only way in and out to this site will put a lot of strain on people and local schools doctors etc

100 houses probable 200 cars most houses have 2 cars per household most home owners work so that's all that traffic when everyone trying to get out same time

There must be somewhere more suitable for 100 houses to built 1 mile 2 miles away not right in the middle of busy roads and a poor steep rise that in ^{the} winter when ice & snow is on hill up into OAKHURST Rise its not passable unless you have 4x4 car people have had to leave their cars down bottom of the hill in severe winter.

I hope these views are considered



yours Sincerely



From: [REDACTED]
Sent: 28 August 2017 11:51
To: planning@cheltenhamcouncil.gov.uk
Subject: 17/00710/out



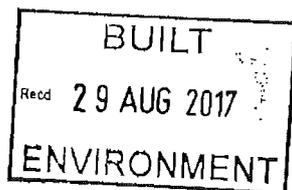
This application is so absurd I am surprised it has even reached the planning stage. 100 dwellings means at least 100 cars trying to get out of a bottleneck not to mention all the trades people, casual visitors etc. This would result in complete chaos. Then there is the environmental damage and falling of mature trees. This must be thrown out [REDACTED] 11 Ashley Road Charlton Kings
Cheltenham GL52 6LF

Sent from [REDACTED] for Windows 10

e-mail did n't work!

16

29 Page 430




29 Oakhurst Rise
Cheltenham
GL52 6JU

26th August 2017

Dear Miss Payne

RE: Planning proposal 17/00710/OUT

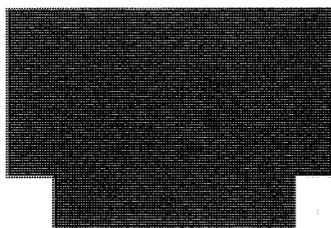
I object to this proposal in the strongest possible terms. I have attached a detailed document outlining my reasons for this.

My husband has made a separate and additional objection on the Planning Portal.

Many residents of Oakhurst Rise are frail and elderly. They are distressed and bewildered by the scale of this scheme. I would request that planners come and speak with them in person as they are not very mobile and require and deserve face to face contact to voice their numerous concerns.

I look forward to seeing this unfair, absurd and speculative plan rejected as soon as possible.

Yours sincerely



Issue 1 – Impact of proposed development on 29 Oakhurst Rise and neighbours

Access issues: All residents are incandescent about the inappropriate scale of this proposal. The number of houses is completely out of proportion to the width and gradient of our cul de sac, especially considering the lack of turning spaces and the need for many residents to park on the road. Many original driveways are not user friendly due to being steep, narrow, poorly constructed and some have cambers and dangerous drop offs. There are never enough parking spaces in modern housing estates and garages are very rarely used. Additional parked cars, in combination with the gradient and width of the road will make manoeuvring a serious issue with the associated noise of passing traffic reversing up and down hill for space. Some cars already need to park on pavements to allow width for refuse and emergency vehicles forcing any pedestrians into the road. We have serious concerns about access to the estate during snow.

Overshadowing and privacy: The proximity of new housing to 29 and 18 is unacceptably intrusive. As the houses will be double storey (and considerably elevated above 29 in particular), there will be major issues with overshadowing and loss of light. Even a single storey garage will block almost all light from our East facing living room which is already very dark. 3 bedrooms of 29 and a bedroom and bathroom of 18 face East so light will be obstructed. We have serious concerns about privacy as upper floor windows will allow views down onto our bedrooms' roof which has Velux windows. It is easy to look down and into our bedrooms and the bedroom of 18 even from the existing elevated ground level on the East side of our boundary.

Inappropriate density and design: The design and access statement claims that buildings will be of an "appropriate scale, mass and appearance". I fundamentally disagree as the street currently consists of low density detached bungalows at the top and the new development is not at all in keeping with this. The density of proposed housing to the West and East shown in the Noli plan may be "akin to that of Ewens Farm estate" but this is irrelevant as the development is NOT actually a neighbour to the estate (which is 1950's terraced council housing). In our corner the site is neighbour to detached bungalows with relatively low density. Oakhurst Rise and Charlton Court Road (1980's semi's) are not Ewen's Farm. The developers have made yet another clear contradiction here.

Excessive noise and loss of character of road: Particularly noise from traffic reversing on hill. Loss of trees. Traffic and high-density housing where green fields have existed will mean a total and absolute destruction of the character of Oakhurst Rise. We are all blessed to live in a very quiet cul de sac, many residents are very elderly and we all bought here due to the peace and tranquillity of the site. The design and access statement claims to the N, E and W of site "boundaries are effectively defined by rear gardens". My boundaries are defined by the beautiful trees and an ancient hedgerow jam packed with wildlife and a sense of peace and privacy. Almost all of this vegetation will be destroyed by the developers.

The developers consider that the site will make a "positive visual addition to the area" weirdly subjective here. I suppose they mean an improvement on "unkempt grass"? Residents cannot see what is positive visually at all, are the developers seriously suggesting that new housing instead of trees and meadow will improve the present view?? I think many local people, however, do believe that new housing WOULD have been a positive visual addition to the exceedingly untidy Tim Fry Estate. Brownfield land which has been declined for development.

Issue 2 – Impact of proposed development on flooding

Flood Risk Assessment & Preliminary Ground Investigation

Summary

The flood consultants assume that... “the risk of surface water flooding is low due to the steeply sloping site”. In fact large swathes of the middle section of the site do not drain at all easily and a vast amount of water sits stored safely in the top soil over winter, drying out very gradually and preventing flooding issues down catchment. The consultants state that the site is in Flood Risk Zone 1. My concern, however, is with the wider impact on the area surrounding the site. The drastic changes to interception rates, top soil levels and permeability on this site will have far reaching effects as the site is at the watershed of a flashy catchment. The impact of the scheme on properties and land below the site seems to be hardly considered. This is concerning as many areas lower down in Cheltenham ARE at very high risk of flooding. I have been in communication with CKFAG (Charlton Kings Flood Action Group) who share my concerns. From reading the report the consultants seem unaware of long standing existing issues with drainage on and around the site, possibly because much of the land is privately maintained. It is essential that more effort is made to discuss these issues with local people before a hasty decision based on sketchy evidence is made that will create a significant risk.

This risk assessment only seems to focus on the proposed site itself and not the on impact of the development on either the wider River Chelt catchment area or those properties directly downhill from the site. The consultant has clearly relied on a desk study and failed to speak to local people about their widespread knowledge of extensive, long standing drainage issues around the site. The proposal for 30 houses off Charlton Court Road was declined in the 1980's due to flood risk and yet that development was at a lower elevation and much smaller in scale. This new proposal seems foolhardy to be honest.

Evidence to support these points

1. A group of neighbours are undertaking a survey of residents of Charlton Kings to provide evidence of the extent, frequency and severity of flooding problems around the site. Evidence to follow asap.
2. I would request that councillors speak with local people urgently as this is an issue of immense concern
3. My neighbour is collating photographic evidence of existing and potential issues with drainage.
4. I have attached written evidence of flooding problems associated with a neighbouring property which gives an idea of the immense flooding risks associated with construction on this site.
5. I would like to urgently know how long we have to compile this evidence as the application has been submitted when many people are away on summer holiday??
6. Maps A, B and C & Written evidence of flooding effect on 25 Oakhurst

Existing conditions on site surface in a normal winter

The developers have shown a reckless disregard for the sensitivity of the site in terms of flood risk to the wider area. In a normally wet winter the top soil layer on the site is saturated for months and very swampy as the clay sub soil is impermeable. I have informally walked my children to and from the Prep School daily over the site for more than a decade and can assure you that the conditions in Feb 2017 when bore holes

were dug and monitored were far from typical, you are normally ankle deep in water at that time of year. All surveys were done after an exceptionally dry period so this renders the result unrepresentative. The extent of problems with the site have simply not been recognised and I would suggest planners speak to residents and the groundsman at the Prep School to get a more accurate picture.

Surface run off from site

Impact to South Western corner (culvert)

The council must be aware of extreme public sensitivities due to the terrible flood issues along the brook to Charlton Court Road and Oak Avenue in 2007. The council has paid for remedial measures that were taken to create a deep retention pond just before the culvert in the SW corner of the Prep. The culvert acted as a blockage to the system that summer. Considering this history has the developer examined whether the culvert has capacity to cope with increased run off from the proposed development? I am unconvinced that the developers have considered whether their inadequate remedial measures will withstand the loss of at least 18,000 sq m of trees and vegetation, and the loss of much of the absorbent, water retaining top soil layer. In addition, I am unconvinced the often mentioned "permeable surfaces" will be particularly effective due to the inevitably limited depth of top soil post construction and the impermeable sub soil (see later).

The attenuation crates would need to be vast, displacing huge amounts more clay; hardly sustainable development. The tank(s) are calculated at 768 m sq which seems inadequate considering the definite loss of 18,000 m sq of permeability and the questionable permeability of the remaining area. We are talking about approx. 40,000 m sq of surface area partly or entirely at risk in addition to the depth of water stored within the topsoil layer. We need much more research done here. I must insist that much, much more thorough investigation of impact is done. I fail to see how a very, very small pond and some attenuating crates will be adequate.

What will happen in the event of C635 exceedance? I am alarmed by how little the consultants appear to know about the existing site. Please see reference below to our very vigorous springs and groundwater issues. The site can become very, very wet, causing localised flooding of roads, cellars and gardens that goes on for several days. If all this water is placed in drains under Charlton Court Road does the system have capacity? Where do the drains discharge and what of the impact at this point? I assume Cox's Meadow. The consultants make no mention of this. What will the impact of losing at least 18,000 sq m of permeable surface on the entire catchment actually be? Has modelling of the impact of exceedance on the town centre been done?

Existing drainage to South and to the West

There are issues with surface run off already, contrary to the consultant's report

Even with the site completely undeveloped and with 100% permeable surfaces, thick top soil, trees, grass etc. residents of Oakhurst Rise and the Prep School have still had historical problems with surface run off. A large drainage ditch had to be dug in the 1980's on the western boundary of the site bordering Oakhurst Rise to divert water that was flooding down into the gardens of No. 18 south to No. 6. On the Prep site extensive ditches to the West boundary exist for similar reasons. These ditches dispose of surface water directly into the brook adjacent to Sixways Surgery where the culvert has been such a notorious pinch point. The flood problem was kicked down the road.

Will the post 2007 retention pond withstand the pressure of construction run off?? Of immense concern is the possibility that developers may choose to discharge run off from the exposed clay during construction

into these existing drainage ditches. This must not be permitted as the clay will simply silt up retention ponds and block the culvert. The ditches must not be permitted to overflow through a primary school for clear Health and Safety reasons.

Impact of Spring lines?

Consultants seem unaware of these

The report shows no knowledge of an extensive network of abnormal springs which emerge at a consistent elevation in gardens on the Battledown Estate, in our garden and across the Prep School site. See Maps A and B. To be fair this may be because the Prep and Battledown are privately managed. The springs emerge following a wet winter. Water flowing from these springs can routinely overwhelm drains causing flooding and requiring homeowners and contractors to clear them. The springs last emerged winter 2012/13.

An old reservoir built to store spring water or possibly prevent flooding is buried in our garden. It is clearly marked on the 1880 map of the site, Map C. Remnants of the brick built reservoir tank were discovered when we had landscaping work done. This is evidence of an historical spring which continues to emerge today. The map also shows extensive drainage channels to the West of the site highlighting how much water flows to the South and West.

Groundwater flooding/springs

The consultants consider that “the risk from groundwater flooding is low”. This is incorrect

Older properties in the vicinity such as Charlton and Ashley Manor have cellar flooding from groundwater almost every year and they have had to install pumps. We had to pump water away from our house in 2012/13 as water poured out of the hillside for days, flooding under our foundations. We have had to install an extensive network of French drains to the rear of the property which we hope will cope with the flow in the next wet season. Our property is very low lying and sunk into the hillside at the rear so we are very vulnerable to this problem. I am sure many other pieces of evidence will emerge from other residents that we will collate.

Sewer Failures

Local sewer failures are notorious. Residents on Churchill Road (No 20) need to rod their sewer at least annually. Not all instances are reported as residents tend to deal with emergencies themselves. Several serious sewer collapses have been reported in Sydenham Rd area as the pipes age. What assurances do we have that the antiquated system is able to cope with a much higher flow?

Concerns re subsidence, safety and conditions on site – Ground Investigation Report

The presence of large trees, clay soils and steep gradients on Oakhurst Rise have led to collapsed drains and subsidence problems resulting in collapsed driveways and damage to some garages. At 29 we have experienced collapsed drains and our garage was demolished due to subsidence. One property on the Rise has needed to be underpinned twice. A number of properties have been recently extended and they have ALL used pile foundations. I am shocked to see the ground investigators recommend that the developer considers using cheaper conventional foundations. This seems to be shoddy in the extreme and may well impact on the stability of the land above 18 and 29 especially when you consider the weight and vibration of machinery, presence of a spring line and risk of slippage. How can we trust a developer who considers cutting corners so recklessly?

Having dug out our rear garden to extend we can testify how soft the clay is after rain, how entirely impermeable it is and how the site will be one huge quagmire when the top soil is removed. Neighbours will testify to the mess as the work was done over a very wet period. We anticipate extensive rainwater runoff downhill from the construction site and into our gardens and properties unless extreme measures are planned for. We also anticipate road safety concerns with mud and lorries on the steep road. The proposed access road is in very poor condition already.

Flooding from artificial sources

When the top soil is removed to reach construction levels water will have nowhere to go.

Number 25 have written evidence (attached) of devastating flooding originating from a temporary retention pond failing when just 3 houses were constructed above our NE boundary. What assurances can residents have that a much, much larger volume of water will be retained safely?

Infiltration & SUDS

The site sub soil has "Low-nil permeability" I agree. Majority of SUDS (measures to increase infiltration) "unlikely to be feasible" agreed.

The water cannot infiltrate the clay sub soil. As the depth of top soil will be reduced and the sub soil is impermeable the benefit of the much advertised "Permeable driveways and surfaces" will be compromised. The 768 m sq "Attenuation Crates" and a tiny "pond" seem totally inadequate considering that the developers know nothing of the scale of the existing problems even with currently optimum interception and infiltration conditions. One study over a dry period is wholly inadequate. "Water Butts"?? Is this all the developer can suggest? I understand the developer has to follow the SUD manual CIRIA C753 to the letter. I feel dubious. None of this seems at all comprehensive, even to a complete layman.

Totally unconvinced that the developer has any idea what the real issues are here.

To conclude this section

- **Risk Assessment is ill informed. Disappointingly thin information on the current risks around the site.**
- **Council may have limited information of scale of issues as much of the area is privately owned and maintained (Battledown and Prep)**
- **Vague information on what will actually be done with excess water, during construction and long term. Very dubious about limitations of SUDS and other remedial measures.**
- **Impact on Oakhurst Rise due to history of problems is an issue.**
- **Awaiting evidence from survey of local residents**
- **Using existing ditches will create an unacceptable flood risk to the brook to the SW, Oak Avenue etc. Additional Health and Safety risk to Prep School pupils. Any silting up of the culvert could be disastrous.**
- **A repetition of 2007 could easily happen without extreme caution at this stage. The Flood Risk Assessment does not show due diligence.**
- **This site is a very sensitive part of the catchment and needs to be treated with more respect**
- **It seems strange that the nearby brownfield Tim Fry site which is entirely paved and built upon (ie. with minimal flood impact) was rejected if this site is considered ideal for development.**

Issue 3: Impact on character of Cheltenham. Loss of visual amenity.

Re design and access statement "visibility from public vantage points" there is scant mention of the view from ramblers' superhighway the Cotswold Way at Lineover Wood. There is no dense development at that elevation in Cheltenham or the surrounding area and it will have a significant impact on the appearance of Cheltenham from Leckhampton Hill and the A435. It will be an eyesore in the "wider context" of the Cheltenham skyline whatever they say about landscaping. It will impact on the character of West Cheltenham as a leafy Spa Town.

In the 2017 Cheltenham Local Plan consultation much was made of the concept of protecting private green space. There was significant public support for protection of the site as an amenity.

"Open spaces within the site comprise unkempt grass and a few trees"I'm sorry to be blunt, but this is absolute rubbish, an insult to local people's intelligence.

Issue 4. The severe impact of the proposal on local traffic

Residual cumulative impacts of traffic will be very severe. There is little regard in the traffic report for gradient, lack of turning spaces and existing difficulties that will be severely impacted. Especially manoeuvring and the impact of more parked cars They say they are creating 248 parking spaces but this includes garages and visitor parking. Who parks in their garages? Just one or two cars parked on road at top of the Rise creates mayhem already. Noise and pollution from reversing up hill will be severe.

The already busy commuter rat-run through Ewens Farm and Haywards Road will be severely affected. The developers' estimates of 48 cars per hour for the number of cars exiting the new estate at rush hour is surely far too low. Are they thinking everyone up there will be retired? (Good luck with sustainable targets for cycling then, see below). Oakhurst Rise is a quiet side road with little traffic admittedly but it is designed in terms of width, gradient and turning spaces to be just that, a quiet side road and not a busy 2-way thoroughfare.

There is huge emphasis on sustainability as part of the National Policy Framework. The developers claim that the new estate will be "accessible without heavy reliance on travel by car". They appear convinced that development will be "highly accessible by walking and cycling". Yes, distances are short on paper but I would love to challenge councillors to try cycling or even walking up to us. My teenagers give up half way, it is steep, 1 in 5 in places. Nobody routinely walks up Oakhurst unless they are on a weight loss plan and nobody will walk to shops from new estate, they will all drive. Nobody is going to cycle. We did have an endurance mountain bike athlete use it for training regularly last year!!

No new provision for bus stops. I guess older people who cannot drive will have to move somewhere flatter or just be confined to houses, isolated. The existing bus stop is already inaccessible to our elderly neighbours due to gradient, condition of pavements and lack of seating or shelter at the stop. Much is made of the poor condition of pavements, lack of pavement at Pine Close, lack of pedestrian crossings on London Rd. It is already very dangerous for pedestrians and particularly school children to cross London Road or walk into town.

Road Safety. Little consideration of the very dangerous junction a foot of Oakhurst and the crazy 2-way blind spot on Oak Avenue. The report makes much of "existing low level traffic" on side streets but little allowance is made for gradient, extreme narrowness of roads when cars parked, parking on corners, blind spots etc. In no way is the consultant "tailoring" the report to "local circumstances". Safety in ice and inaccessibility in snow?

Tim Fry was turned down partly on traffic impact so this proposal is quite simply absurd.

Issue 5: Impact on unique biodiversity of the area

I understand that there is a raft of legislation that has been pretty much ignored by the developers so far. It is really shocking how they get away with acts of criminal vandalism like cutting into an important hedgerow containing nesting birds and driving a JCB over a badger sett. I understand that the Local Authority has a duty of care to ensure that biodiversity is protected. My husband has already written at great length on the Planning Portal about the huge ecological value of these fields. I will not repeat this as I have concentrated on other issues in depth. Suffice to say that the developer has downplayed the diversity and simply not done sufficient homework. We expect all the correct surveys to be carried out including a full bird survey, reptile survey and a survey of every pond.

It will be a travesty if this proposal is approved when you consider the contrasting ecological value of the brownfield Tim Fry Landrover site. In fact I seem to recall that some of the businesses have been investigated, I assume by the council, for infringements against environmental laws.

Issue 6: Loss of a valuable community amenity

One of the very few benefits of this experience is that I have met many local people. I have been touched by the fond memories that many retired gentlemen have of running Cross Country up the hill as school children. Cheltenham has a strong and proud tradition of schools' cross country and performance at town, county and national level is vibrant. Hundreds of boys and girls from all walks of life run the St Edward's course every year. The school regularly hosts Town and County competitions and is probably the only venue in town with sufficient parking and space to do so. What a loss this will be to the town. These events are witnessed by over a thousand family members at times. In some families 3 generations have run the course. It is a uniquely challenging sporting facility within Cheltenham that will be destroyed if the fields are developed. There is nowhere else like it.

At a time of an obesity epidemic, when the government is encouraging children to be more active and when schools are losing playing fields and PE time from the curriculum it seems a tragedy to lose this facility.

The annual fireworks display using the field is attended by thousands of people and is a unique event. The provision of a safe event of this size that is targeted at younger children is not replicated elsewhere in Cheltenham. Many thousands of pounds are raised for charities at this event.

We appreciate your efforts to be fair in this process and hope that the pressure to build at any cost is resisted.

Attachments

- Map A
- Map B
- Map C
- Written documents
- More evidence of flood data to follow

Map A

location of
springs on land
adjoining Oakhurst
Rise.




CITY OF TENHAM
MURDOCH UNIVERSITY

1:3000

23 February 2017

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Spring ① emerges in back garden of 29 Oakhurst

Presence of 3 springs.

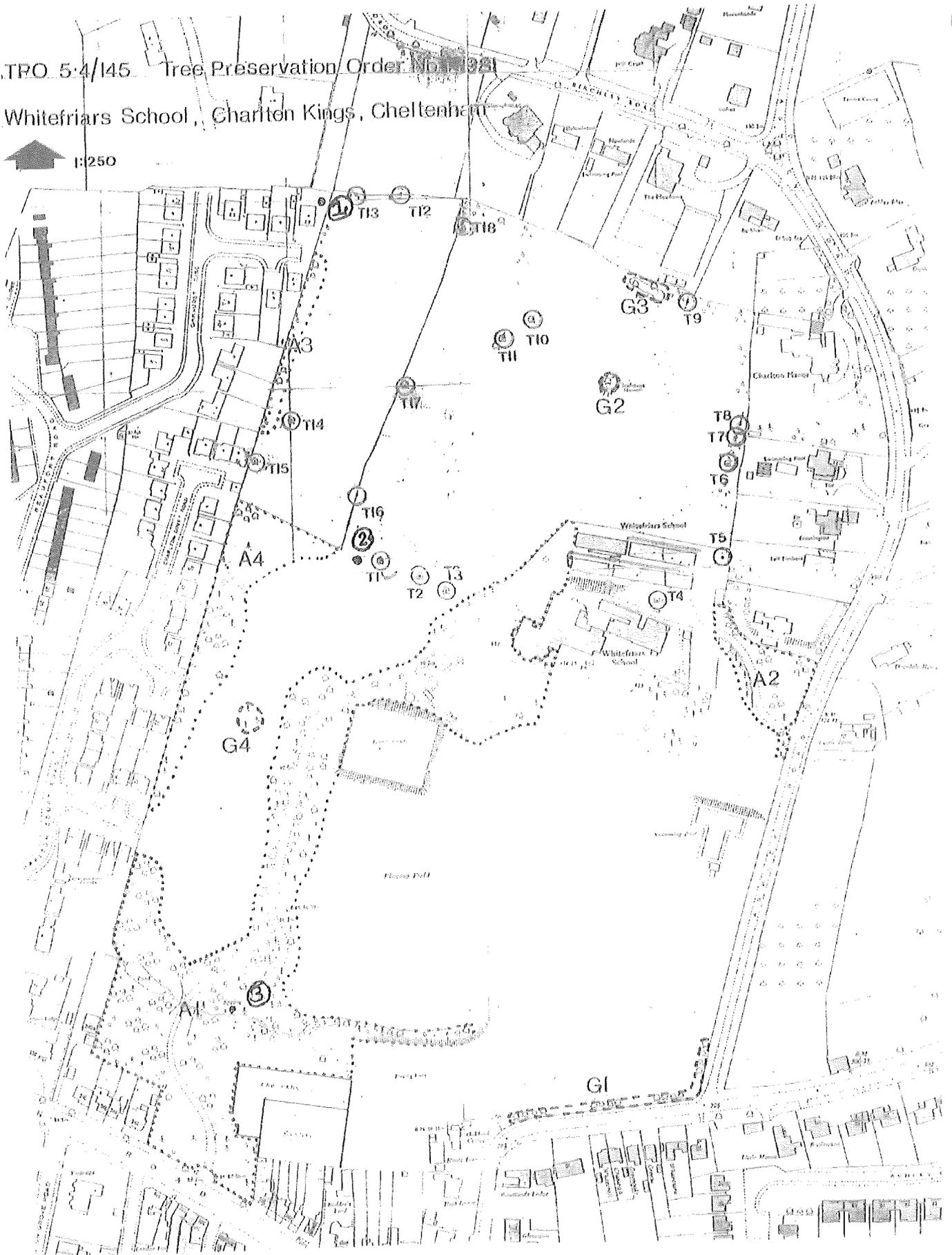
Have been told of springs in
Battledown estate but not
yet sure of location

Map B

TPO 54/145 Tree Preservation Order No. 981

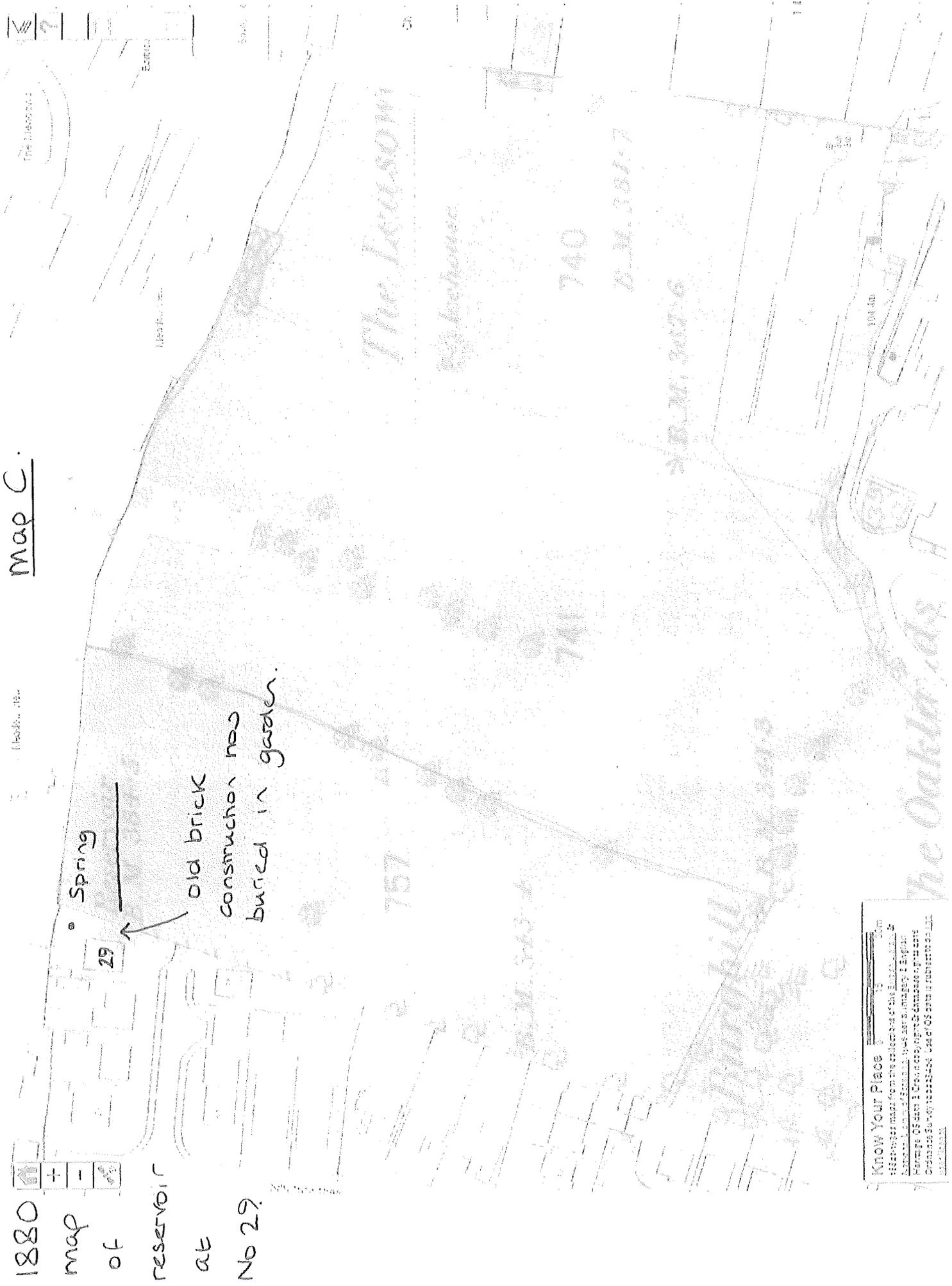
Whitefriars School, Charlton Kings, Cheltenham

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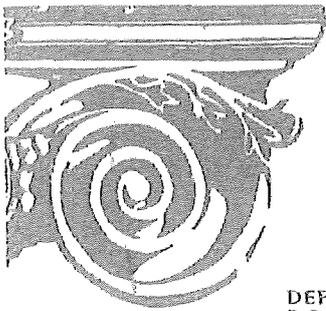


Presence of ③ known springs

Map C.



1880
map
of
reservoir
at
No 29



CHELLENHAM borough council

DEPT. OF ARCHITECTURE & PLANNING Borough Archi
P.O. Box No 12, Municipal Offices, Promenade, Cheltenham, G

FAX No. 0242 221131

*Copies of letters
and flooding surveys
at No 25 Oakhurst.*

The Owner/Occupier,
25, Oakhurst Rise,
Cheltenham.

your ref.
our ref. CB 18595/01 JP
ask for Mrs Moody
extension 216

24th October, 1990
1st NOVEMBER

Dear Sir/Madam,

Construction of three detached houses (detailed plans) land to south side of Birchley Road

I am writing to let you know that I have received a planning application for the above proposal from Berkeley Homes (Western) Limited. The heading to this letter is necessarily abbreviated and should not be regarded as a complete description of the application.

The application is available for your inspection at this office, by appointment please, between the hours of 9.30 a.m. and 12.30 p.m. and 2.30 p.m. and 4.30 p.m. Mondays to Fridays.

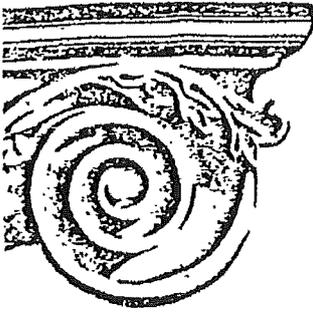
If you have any observations to make about this proposal, I should be grateful if you would let me have them, in writing, not later than 14 days from the date of this letter. In accordance with the Local Government (Access to Information) Act 1985, any representations received can only be taken into account if they are made available for public inspection.

If you do decide to comment, I will not immediately acknowledge your letter unless you specifically request this. It is however the Planning Committee's policy that every letter received within the time-scale referred to is copied and sent to each member of the Committee. Any letter received outside that period will be summarised. I shall let you know the Committee's decision in due course. I should also mention that, whilst your views will be carefully considered, the Committee will have other considerations to take into account in making the decision.

Yours faithfully,



Borough Architect and Planning Officer.



CHELTON Page 442
borough council

DEPT. OF ARCHITECTURE & PLANNING Borough Architect & Planning Officer: David Ross, ARIBA, FRPI.
P.O. Box 12, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 1PP.

telephone: 0242-521333 262626
facsimile: 0242-227131
your ref. JP/BG/CB18595/1
our ref. Mr. Pinfold
ask for 15
extension

27 Oakhurst Rise,
Charlton Kings,
Cheltenham.
GL52 6JU

3rd December, 1990

Dear Sir & Madam,

Construction of three detached houses -
Land joining Birchley Road, Cheltenham

Thank you for your letter dated 12th November, 1990, regarding the above matter, which was copied and distributed to all members of the Planning Committee during the week preceding their meeting on 22nd November, 1990.

I can now inform you that it was decided at that meeting to grant detailed planning permission for this development. I would further explain that the applicant had submitted a lengthy report concerning trees on the site and that only a very small number are to be felled. This is being done in the interests of good management, and replacement trees will be planted where appropriate.

The access to the site will be from Birchley Road as approved in principle when the outline application was considered in June 1988. ~~There is no intention to obtain access to this development from Oakhurst Rise.~~

The Committee noted your comments regarding drainage of the site, but this aspect is outside the control of the Planning Committee and will be dealt with under the terms of the Building Regulations Approval which will also be required before the development may be commenced.

Yours faithfully,



Borough Architect & Planning Officer

Cheltenham BC
Municipal Offices
Cheltenham

29 Oakhurst Rise
Charlton Kings
Cheltenham
Glos
GL52 6JU

11 January 1991

for Mr. Phillips
Drainage Department

Dear Mr Phillips

FLOODING IN OAKHURST RISE 10 JANUARY 1990

1991

Following our telephone conversation on the 10th January I enclose a plan showing the drainage that I have discovered during my 8 years in Oakhurst Rise.

At present it is clear that any pumping operations into the pond marked 'A' on the attached plan results in flooding of my neighbours property. Having spoken to them there is no history of this having occurred during the existence of this estate.

I have always assumed that the pond marked 'A' drains through my garden via a tiny outlet that I located after heavy rains some 7 years ago. This outlet points in the general direction of my hedgerow and appears to join a second pipe discovered at the same time in the corner of the adjacent field. The hollow that you observed at point 'B' is that pipe and I have always presumed this to be the remnants of a long-time silted ditch running along the field boundary because at times of heavy rain field water runs along the boundary in the direction of point 'B'.

At point C in my garden there is a 'lamp hole' through which one can hear the sound of running water and again I have assumed that the points A and B drain via the lamphole across my front lawn (via the depression) in the direction of the carriageway.

Similarly I have always assumed that downpipes from the roof drain in a similar direction as I have never experienced flooding after the discovery of the outlets at point A and B even during the heaviest of storms. Nor have my neighbours.

I would therefore conclude that all my surface water drainage is positive and not to soakaways.

This I reported to your Planning Department at the time of notification of a Planning Application for the development which is taking place with an assurance that such aspects would be dealt with under the terms of the Building Regulations Approval before the development commenced. The attached letter to my neighbour confirms this.

I am advised by your Councils Building Regulations Department that in this instance such matters are the responsibility of the NHBC although your planning department has always indicated to the contrary, Mr Peter Whatton of NHBC Droitwich tells

me that it is not a matter for the NHBC but for the builder.
This I find hard to believe

Given the flooding of my neighbour's property, the raising of such concerns in letters from my neighbour and myself at the time of the planning application, the current discharge of pumped water into a small road-side ditch on a private estate and ultimately into Cheltenham BC surface water drainage (and the River Chell) will you give me an assurance that the matter of surface water drainage for the site is to be given the necessary consideration without the further flooding of properties in Oakhurst Rise, both during and after construction. I also trust that your authority is able to resolve this matter to the satisfaction of all

A further concern is that the general lie of the land and access road is with a slope towards our properties and as yet I have received no indication as to the likely form of drainage other than a comment from Mr. Peter Whatton of NHBC that it was to be via soakaways. This in my opinion cannot be so given the clay foundations upon which these houses are to be built.

It was clearly recognised in letters to my neighbour and myself that such matters would be considered but as yet I have no indication that this is so although development continues 7 days a week.

I would be grateful for your response.

yours sincerely

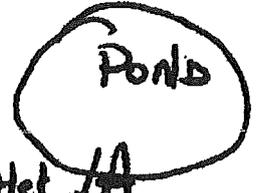


D. A Micklewright

c/Borough Architect & Planning Officer
c/Douglas Allen, Karadys, Oakley Road, Battledown
Battledown Trustees
c/County Councillor George Tatum, 330 London Road Charlton Kings.
c/Nos 23, 25, 27 Oakhurst Rise

development

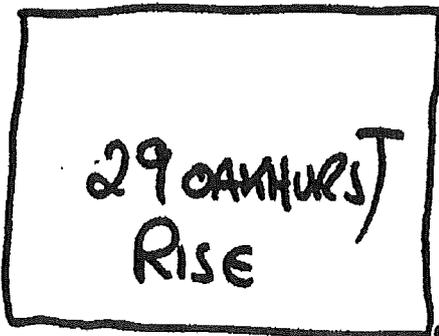
Develop
ment
Site



Outlet A



silted ditch



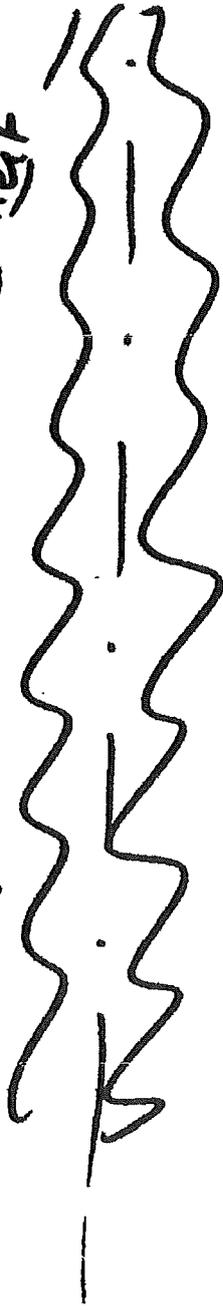
Down
PIPE → ↓

Down
PIPE → ↓

⊙
lamp hole

assumed alignment

assumed alignment
depression in lawn



RDH.D

17th January 1991

Berkeley Homes (Western) Limited,
17, Apex Court,
Woodland,
Almondsbury,
Bristol. BS12 4JT.

02454 615927

Collected 7/3/91

A.D.

Philip Wilks

For the attention of David Keyes - Building Director.

Dear Sirs,

We believe you are the Developers relating to some development taking place at Birchley Road, Battledown, Cheltenham.

We act for Mr. and Mrs. Wilks of 25, Oakhurst Rise, Cheltenham.

We believe it to be the case that water has been discharged from your site in such a manner that it has flowed on to our clients' property in such a way that has caused flooding to our clients' property.

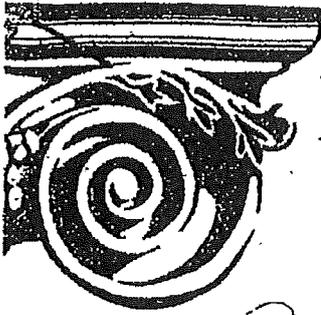
We believe that certain preventative measures have been taken although these may prove not to be successful in any event as our understanding is that the water is still discharging towards our clients' property.

We must make it clear on behalf of our clients that they hold you responsible for any damage caused now or in the future, as a result of the water discharge.

Yours faithfully

BRETHERTON PRICE & ELGOODS

(Solicitors)



CHELTENHAM

borough council

*Copy of letter sent
12/1/91*

BOROUGH ENGINEER and SURVEYOR: A. C. Morgan, B.Sc., C.Eng., M.I.C.E., M.B.I.M., D.M.S.
P.O. Box 12, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 1PP.

PLEASE NOTE NEW TELEPHONE NUMBER

telephone: 0242-262626
facsimile: 0242-577966
direct dial:

23, Oakhurst Rise,
Cheltenham,
Glos.
GL52 6JU

your ref:
our ref: PJP/BG/CH8
ask for: Mr. Phillips
extension: 2230

22nd January, 1991

Dear Sir,

Surcharge of Groundwater at Oakhurst Rise, 10th January, 1991

Further to the report of flooding received from Mrs Griffiths at 9.15 am on 10th January, 1991, I confirm that Mr. Phillips visited your property at 9.45 am to discuss the matter. Further visits were made the same afternoon, the following day, and again on 16th January to further investigate and review the problem.

From the investigations carried out and discussions held, it appears that two problems may exist, one exacerbating the other in this instance. From the information conveyed to Mr. Phillips there appears to be a perennial problem with the disposal of surface water drainage at your neighbour's property, No. 25. I have written to Mr. Wilks separately on this matter. This problem was compounded, it appears, by the contractor on a development to the north-east of you pumping water into a pond or depression in the south-west corner of his site. As far as he was aware the pumped water was dissipating satisfactorily. Investigations indicate that the drain from this pond, which remains to be proved as to its precise location and construction, was beaten by the quantity of water for one reason or another. The excess water seems to have found an underground path to No. 25, by-passing No's 27 and 29. Had the developer's contractor been aware of the results of his actions, he would have sited the pump discharge elsewhere, into the site's surface water drainage system. Indeed, he did this as soon as the matter was brought to his attention. He has also given my staff assurances that all water intercepted on the site during construction will be diverted in future to the site's drainage system, which discharges into Birchley Road.

/continued

2.

As far as your property is concerned, there appear to be further complications regarding the disposal of drainage from the roofs and drive. From discussions between yourself and Mr. Phillips, I understand that the gully sited between your bungalow and garage acts as, or is, a soakaway. Furthermore, development plans for Oakhurst Rise indicate that the roof drainage also discharges to a soakaway. I find this rather surprising given that I believe clay underlies your property. From discussions with your neighbour, Mrs Griffiths, I understand that seepages from beneath and through the downhill foundations of your property have been observed in the past, not necessarily following rainfall. These have been associated, or linked, with your predecessor washing dogs. Therefore, I conclude that your gully/soakaway does not operate correctly, if at all, and flows entering it are dissipated rapidly beneath your property. This situation appears to have been exacerbated by the events of 10th January when the underground water flow seems to have entered the gully/soakaway and your property foundations from below. I regret that the solution of this problem is a private matter.

Apart from the assurances given by the developer's representatives for the site off Birchley Road regarding temporary drainage during construction, drawings viewed by Mr. Phillips show that all hard surfaces will be drained to the site surface water drainage system. Land drains intercepted by retaining walls to the rear of the houses being built will also be connected to this system. Therefore, it appears at present that the situation which occurred on 10th January should not be repeated either during construction or thereafter.

However, the problems relating directly to the surface water drainage of your property remain. Should you be concerned about the effects that either situation may have had on your property foundations, I would recommend that you seek independent advice. I trust my staff have been able to assist at least in determining the possible causes of the problems encountered on 10th January.

Yours faithfully,



for Borough Engineer



Page 449
CHELTEMHAM
borough council

BOROUGH ENGINEER and SURVEYOR: A. C. Morgan, B.Sc., C.Eng., M.I.C.E., M.B.I.M., D.M.S.
P.O. Box 12, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 1PP.

PLEASE NOTE NEW TELEPHONE NUMBER

telephone: 0242-262626
facsimile: 0242-577986
direct dial:

██████████
25, Oakhurst Rise,
Cheltenham,
Glos.
GL52 6JU

your ref:
our ref: PJP/BG/CH8
ask for: Mr. Phillips
extension: 2230

22nd January, 1991

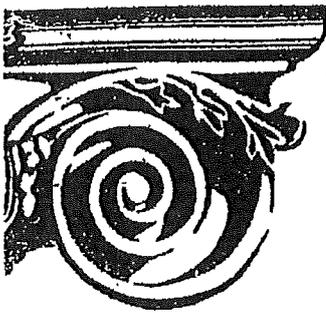
Dear Sir,

Surcharge of Groundwater at Oakhurst Rise, 10th January, 1991

I refer to the events of the above date when water emanated from the ground via a gully/soakaway between your bungalow and garage, and also through and beneath your bungalow foundations, particularly on the downhill side. Apart from causes due to the preceding rain, it appears that a significant contributory factor was water apparently emanating from a development site to the north-east of your property. On the above date, the site groundworks contractor pumped out his flooded works to a pond or depression in the south-west corner of the site. As far as he was aware at the time, the water was dissipating from this location satisfactorily. I understand that, had they known the effect of their actions they would not have pumped to the pond/depression. They regret the problems which seem to have ensued. The developer's representatives met Mr. Phillips on site on 16th January and gave him assurances that any future pumping will be discharged to the surface water drainage system laid beneath the site access road, and which outfalls in Birchley Road. They also pointed out that as soon as they were made aware of the problem on 10th January, they diverted the pump discharge to the constructed drainage system. Intercepted land drain flows will be similarly diverted.

It appears that whatever outlets to the pond/depression do exist were beaten by the pump discharge, and an underground route to your property, by-passing No's 27 and 29, was followed by the water. Establishing the location and nature of this underground route could be very expensive and disruptive and, I regret, is a private matter. Similarly, establishment of the true nature of the drainage from the pond/depression is also a private matter, as virtually all the system which is believed to exist is within private land.

/continued



CHELTENHAM borough council

*Copy of letter sent
to No 29*

DEPT. OF ARCHITECTURE & PLANNING Borough Architect & Planning Officer: David Ross, ARIBA, FRTPA
P.O. B-x 12, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 1PP.

PLEASE NOTE NEW TELEPHONE NUMBER

telephone: 0242-262626
facsimile: 0242-227131
direct dial:

your ref:
our ref: JP/KL
ask for: Mr Pinfold
extension: 2426

29 Oakhurst Rise
Charlton Kings
CHELTENHAM
GL52 6JU.

28th January 1991

Dear Sir

Construction of three detached houses on land adjoining Birchley Road,
Battledown, Cheltenham

Thank you for your letter dated 10th January 1991 regarding the above matter.

I apologise for the confusion which has arisen following correspondence between yourself and my Department regarding the drainage of the site.

I would reiterate that the question of drainage falls outside the control of the local planning authority, but accept that the resolution of the problems which have arisen does not necessarily fall within the control of the Building Regulations Authority (in this case the NHBC) responsible for the site. I understand that the recent flooding was not caused by additional surface water discharge from new roads or buildings but was due to an underground watercourse being disrupted by groundwork at the site. Such problems fall within the auspices of the Borough Engineer's Department and I note that Mr Phillips, the Senior Engineer in the Land Drainage Section, is aware of the situation and has been in contact with the developers with a view to resolving the problems.

Once again I would apologise for having misinformed you and for the fact that the method of co-ordination between the Planning Department and the Borough Engineer's Department failed to alert the Land Drainage Section at an early date. Naturally, I trust that the difficulties can now be satisfactorily resolved.

Yours faithfully



Borough Architect and Planning Officer

2.

Drawings of the development viewed by Mr. Phillips on 16th January, when he met the developer's representatives, show that drainage of all hard surfaces will be collected and disposed via the above system. Land drains intercepted by retaining walls to the rear of the houses will be similarly treated. Should the problems associated with surface water drainage at No. 25 also be resolved, I would hope that you would no longer be affected by water seepages emanating from beneath that property.

If you remain concerned regarding the effect that this and previous events may have had on your property, I recommend that you seek independent advice. I trust that these comments are of assistance to you.

Yours faithfully

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

1000 10000000 10000000

25 Oakhurst Rise
Cherlton Kings
CHELTENHAM
GL52 6JU
Tel 0242 575338

4 April 1992


Borough Engineer & Surveyors Office
Cheltenham Borough Council.
Municipal Offices, Promenade,
CHELTENHAM,
GL50 1PP

Yr Ref: PJP/KW/CH8

SURCHARGE OF WATER AT 25 OAKHURST RISE

Dear Mr Phillips,

Please find enclosed papers detailing the water table survey I have carried out over the past few months.

Unfortunately, we have not had a great deal of rain during this time but the rainfall on the 1st April was sufficient to raise the underground water level such that seepage occurred above ground at the lower end of the bungalow at the points indicated on the plan drawing.

The only time this year the SW surface drain in front of the garage has overflowed was 9th January 1992. This was the first occurrence since the overflow last year on 6th March 1991.

As can be seen from the graph, bore-hole no.4 was the last to be dug on 18th February and there was no rain till the 27th February when that hole filled up dramatically a few days later. This, I think, is significant as the same thing happened after the rain from 22nd March onwards. Note too that the depth to water in hole 4 on the 1st April is at ground level at the lower end of the bungalow hence the above ground seepage.

I look forward to our meeting on Wednesday at 4 p.m. to discuss the solution to this problem.

Yours sincerely,


Mr Peter G Wilks

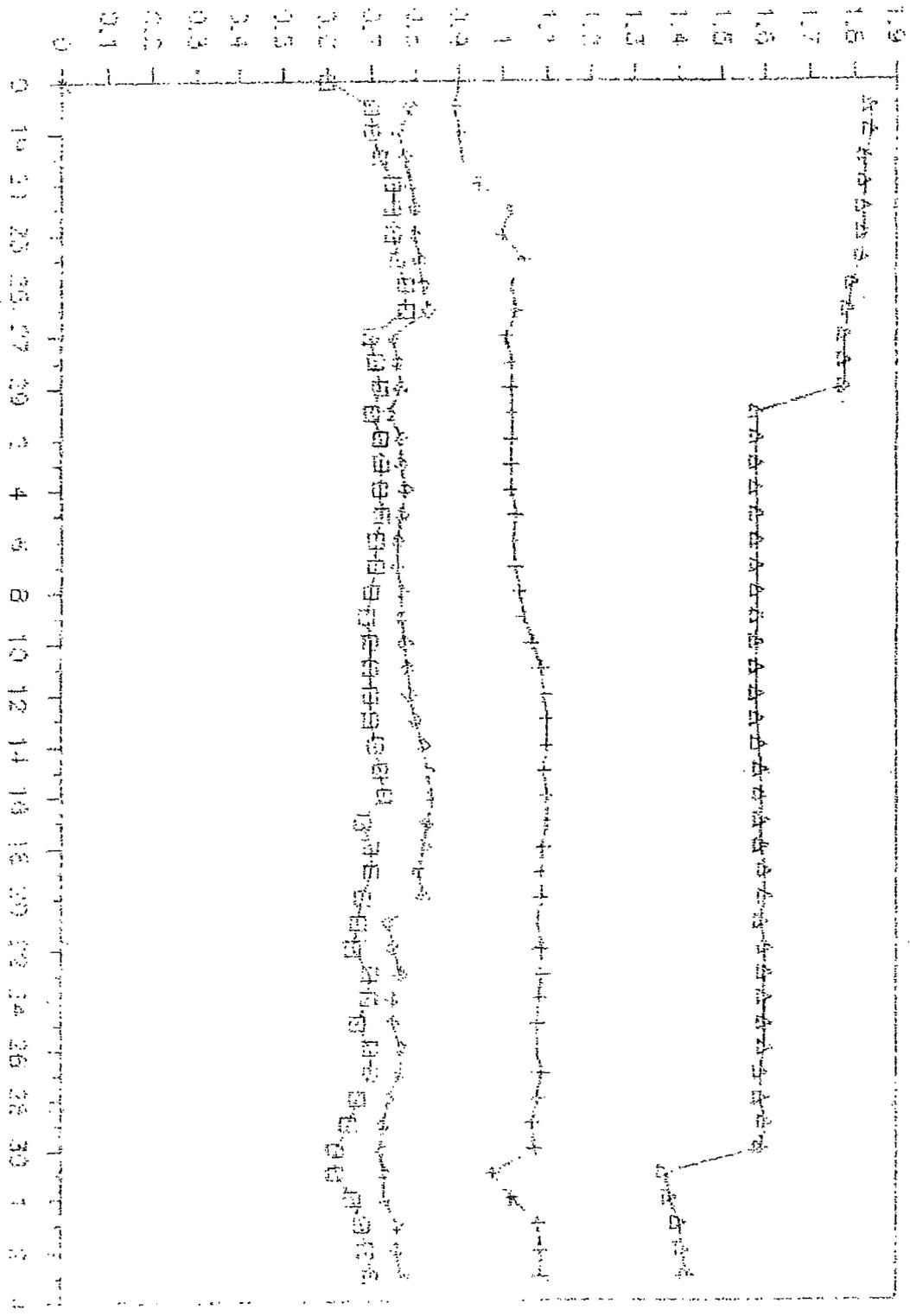
W A T E R T A B L E L E V E L S
2 5 O A K H U R S T R I S E

		Depth to Water (m)				
(1992)		(Datum Level = Damp Proof Course)				
Date	Time	Hole 1	Hole 2	Hole 3	Hole 4	Remarks
18-Feb	1700	0.60	0.90			:Overnight Rain
19-Feb	1540	0.70	0.89	0.73	1.84	:Dry
20-Feb	1534	0.70	0.90	0.76	1.84	:Dry
21-Feb	1600	0.72	0.91	0.73	1.83	:Dry
22-Feb	1732	0.75	0.95	0.79	1.83	:Dry
23-Feb	1800	0.75	1.02	0.80	1.83	:Dry
24-Feb	1630	0.75	1.00	0.80	1.83	:Dry
25-Feb	1620	0.76	1.05	0.81	1.82	:Dry
26-Feb	1655	0.78	1.02	0.82	1.80	:Dry
27-Feb	1700	0.78	1.03	0.83	1.79	:Very Light Rain
28-Feb	1800	0.70	1.01	0.75	1.78	:Overnight Rain
29-Feb	1640	0.71	1.02	0.76	1.78	:Dry
01-Mar	1100	0.72	1.02	0.77	1.78	:Light Rain
02-Mar	1630	0.70	1.02	0.74	1.58	:Overnight Rain
03-Mar	1830	0.72	1.02	0.77	1.58	:Dry
04-Mar	1630	0.73	1.02	0.77	1.58	:Dry
05-Mar	1645	0.72	1.02	0.78	1.58	:Dry
06-Mar	1745	0.73	1.03	0.77	1.58	:Light O'night Rain
07-Mar	1645	0.71	1.03	0.76	1.58	:Light O'night Rain
08-Mar	1710	0.71	1.03	0.76	1.58	:Dry
09-Mar	1655	0.70	1.04	0.77	1.58	:Dry
10-Mar	1710	0.69	1.05	0.77	1.58	:Showery
11-Mar	1715	0.70	1.07	0.78	1.58	:Dry
12-Mar	1745	0.70	1.09	0.79	1.58	:Showery
13-Mar	1720	0.70	1.10	0.79	1.58	:Showery
14-Mar	830	0.70	1.10	0.80	1.58	:Dry
15-Mar	1815	0.71	1.10	0.82	1.59	:Dry
16-Mar	1630	0.72	1.10	0.83	1.59	:Dry
17-Mar	1720	0.73	1.10	0.84	1.59	:Dry
18-Mar	1700	0.68	1.10	0.83	1.59	:Heavy Showers
19-Mar	1700	0.70	1.09	0.82	1.59	:Dry
20-Mar	1500	0.70	1.09	0.81	1.60	:Light Rain
21-Mar	1700	0.68	1.09	0.82	1.60	:Overnight Rain
22-Mar	1130	0.67	1.08	0.74	1.59	:Overnight Rain
23-Mar	1130	0.66	1.09	0.75	1.60	:Showery
24-Mar	1730	0.70	1.09	0.77	1.60	:Dry
25-Mar	1730	0.70	1.09	0.75	1.60	:Light Rain
26-Mar	1600	0.67	1.08	0.75	1.60	:Overnight Rain
27-Mar	1700	0.70	1.08	0.77	1.60	:Light Rain
28-Mar	1800	0.70	1.09	0.77	1.59	:Dry
29-Mar	1700	0.67	1.08	0.74	1.59	:Overnight Rain
30-Mar	1750	0.65	1.07	0.73	1.60	:Showers
31-Mar	1700	0.62	1.08	0.72	1.59	:Showers
01-Apr	1100	0.62	0.98	0.73	1.37	:Heavy Showers
01-Apr	1700	0.66	1.02	0.73	1.38	:Showers
02-Apr	1900	0.68	1.08	0.76	1.40	:Light Rain
03-Apr	1600	0.69	1.09	0.76	1.41	:Dry
04-Apr	1100	0.70	1.09	0.77	1.42	:Dry

DEPTH TO WATER (ft)

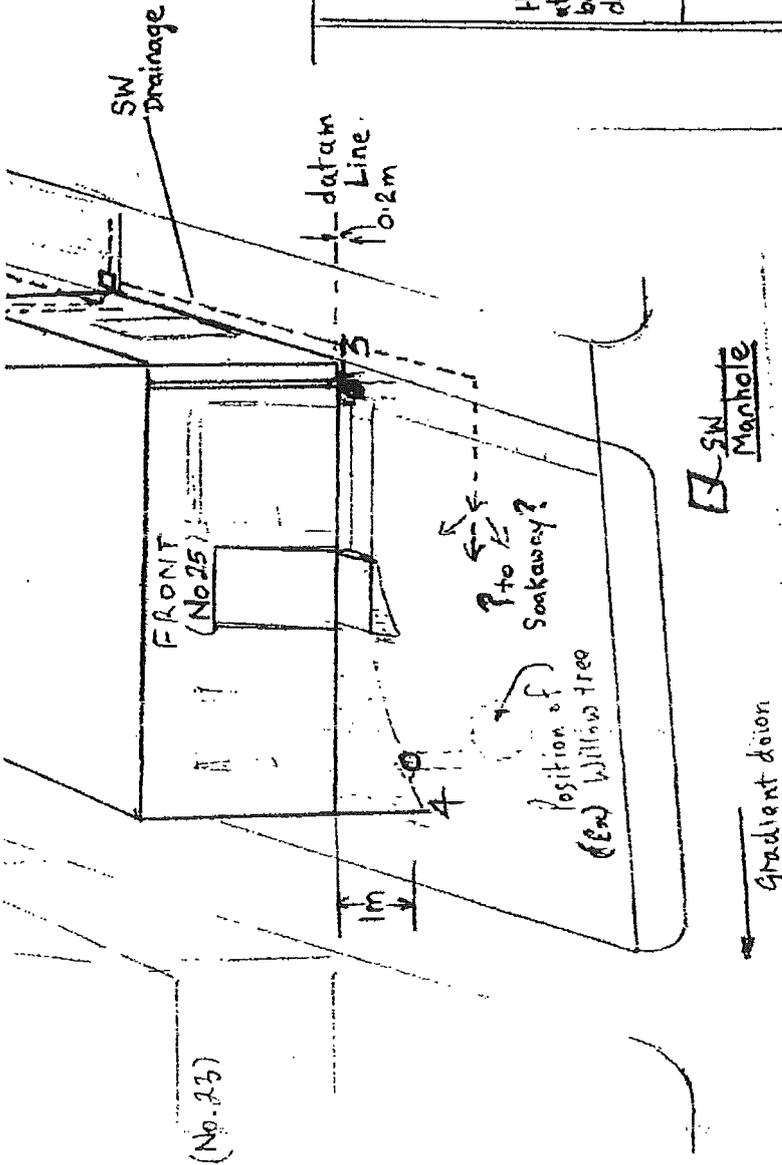
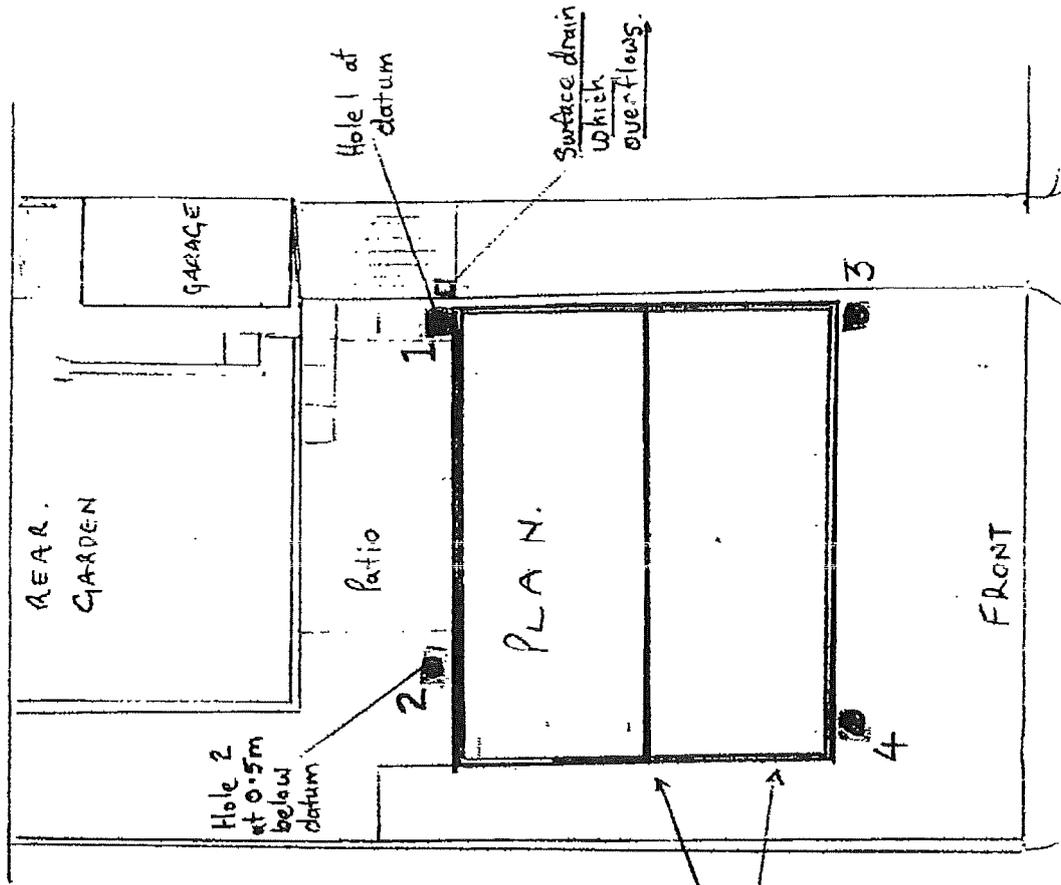
W A T E R T A B L E L E V E L S

25 OAKHURST RISE



Hole 1 4 Hole 2 3

MONTHS: FEBRUARY, MARCH/APRIL



Position of seepage at surface
 (Surface level at this point is 1.4m below datum)

25 OAKHURST RISE
NOT TO SCALE

(No. 23)

OUR REF JM/KTLJ/Ayres
YOUR REF
DATE 29 March 2004

Solicitors' Chambers
30 Cambray Place
Cheltenham GL50 1JP
Telephone: 01242 233917
Facsimile: 01242 226291
DX: 7474 CHELTENHAM
Email: johnmartlewco@clara.net

[REDACTED]
9 Silverwood Way
Up Hatherley
CHELTENHAM
Glos
GL51 3TW

Dear Andrew

Re: Your Purchase

In connection with your purchase, I have received the outline contractual documentation. I enclose herewith:-

1. Seller's Property Information Form.
2. Fixtures, Fittings and Contents Form.
3. Copy documentation supplied by the vendor of correspondence with Cheltenham Borough Council and Simpson Associates (I have not retained copies).

~~There has obviously been some problems historically with regard to the drainage of ground water at the property.~~

Although the correspondence in the clip is over 10 years old, you might like to satisfy yourself.

Presumably, as you are taking out a small mortgage, there will be a survey and it might be worthwhile drawing this correspondence to the attention of the surveyor.

I will see if anything shows up on the Local Search.

Kind regards.

Yours sincerely

[REDACTED]

PARTNERS: Simon Herr LLB (Hons) John W. Conway LLB (Hons)
ASSOCIATES: Nicolas W. Morrow-Brown, BA (Hons) Member of the Family Law Panel
Dianne H. Pearson LLB (Hons) Member of the Family Law Panel
SOLICITORS: Stephanie Pearce LLB (Hons) Gemma Duckworth LLB (Hons)
LEGAL EXECUTIVES: Eunice M. Hope F.Ins.L.Ex., Emma Leek BSc (Hons) F.Ins.L.Ex.
MANAGER: P.M. Stockton PROBATE S. Matthews-Brain CONVEYANCING

Also at 2 High Street, Cinderford (Tel: 01594 823205)
and 2 Church Street, Ross-on-Wye (Tel: 01989 562903) as Thorpe & Thorpe

Community
Legal Service



Criminal
Defence Service



solicitors & advocates

Solicitors' Chambers
30 Cambray Place
Cheltenham
Glos GL50 1JP

DX 7474 CHELTENHAM

OUR REF: JM/SP/Ayres
YOUR REF:
DATE: 2nd October 2007,


25 Oakhurst Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JU

Dear Andrew,

Re: 25 Oakhurst Rise

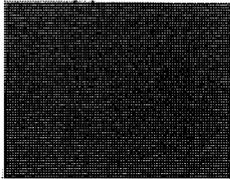
I refer to your telephone calls to the office about the problems you had with the wall and I have been through the file and there is nothing which I think particularly helps.

After completion I was sent a copy of the Transfer of the 19th of August 1971. This is an Office Copy, the original is with the Land Registry and you can of course get copies at any time. The plan shows that the boundary to the left of your property as you look at it from the road and the rear property belong to you. I also read through the correspondence and enclose a copy of my letter of the 27th of March 2004 when I see that I sent to you copies of correspondence but as you will see I did not retain copies. ~~I go on to say there has obviously been a problem historically with the drainage of ground water at the property!~~ I also enclose the copy of the register as it was just before you purchased, but that does not seem to help either.

If there is anything further I can do to help please let me know. There is nothing on the file but if you have that correspondence and if you think it would assist I would certainly come to meet you and look at the problem on the spot.

Kind regards.

Yours sincerely,


JOHN MARTLEW

Sole Principal: Simon Hett LL.B (Hons)
Consultant: John Martlew LL.B LL.M
Regulated by the Law Society



From: Internet - Built Environment
Sent: 26 February 2018 08:50
To: Internet - Planning Comments
Subject: FW: 17/00710 Land off Oakhurst Rise
Attachments: 20171210_151442.jpg; 20171210_151515.jpg

17/00710/

*Audrey Ridley
Customer Liaison Officer
Place & Economic Development
Mon, Tues & Wed
01242 264328
audrey.ridley@cheltenham.gov.uk*

From: [REDACTED]
Sent: 27 February 2018 10:55
To: Internet - Built Environment
Subject: Re: 17/00710 Land off Oakhurst Rise

Additional photos attached of bottom end of Oakhurst in the snow referred to in my objection letter sent today.

[REDACTED]
29 Oakhurst Rise

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Saturday, February 24, 2018 4:50:33 PM
To: builtenvironment@cheltenham.gov.uk
Cc: Paul McCloskey; Helena.McCloskey@cheltenham.gov.uk; Matt Babbage; Louis Savage; Sally Ward; Andy; Andrew Elaine
Subject: 17/00710 Land off Oakhurst Rise

Dear Martin,

Regarding revised plans for 17/00710

I have looked at the revised plans. It is with great disappointment that I must continue to object on the same grounds as my previous objection.

Some other issues have come to light since the revised plans were submitted.

Road safety in winter (please see attached photo of Oakhurst in December)

Even at the moment this is a remarkably dangerous road in winter conditions.

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I would like to point out that the recent cold snaps with snow and ice have made Oakhurst Rise incredibly difficult, even dangerous to walk down and certainly to drive down. And we are a fit active family. The pavement down the steepest part of hill at times was more suited to Olympic Skeleton than any kind of walking. The elderly are housebound until it thaws and everyone is carbound at the top.

In December a Christmas visitor to our top section gave up and parked his car, left it in gear and found the entire car had sledged by itself the the bottom of the hill..thankfully no-one was hurt but it gave him a fright. We have resorted to watching the weather and parking completely away from Oakburst if snow is the slightest possibility.

Road safety all year

The blind junction at the bottom of Oakhurst WILL cause an accident soon even as things stand today. An inconsiderate family constantly park 3 or more vehicles on the blind corner, even in the snow and ice. I have asked them to move their vehicles and so has my husband and most residents, but they say they are not illegally parked. Please see evidence from Sunday 10th December attached. My son cycles to school and is forced onto the right hand side of the road just before this blind junction, oncoming traffic coming up and onto Oakhurst regularly face near head on collisions with descending cars. Only the alertness of drivers in braking suddenly is stopping a knock. A boy on a bike could be badly hurt and that boy is statistically likely to be mine. The hedges on one side of this junction are also constantly thorny and very overgrown, obscuring vision and forcing pedestrians into the path of cars coming uphill.

Who is taking responsibility for road safety now when we have less than 20 houses, let alone if there are 120 houses and all the associated construction traffic in future. Councillors please regard the safety of Oakhurst residents. This road is already dangerous.

Environmental Surveys

I still await the report from the county ecologist on this valuable site. Can any real judgement be made on the value of the fields to endangered flora and fauna in late winter? A desk study will not be sufficient . The developers' ecology reports are inaccurate and I must insist that proper diligence is shown to wildlife legislation. A desk study in late winter will not fulfil the need for proper reptile surveys to name just one example. I will remind you that the wilful destruction of the hedgerow by the developer has been shown to be an illegal act.

Local Green Space

You will be aware that it took the best part of a year of asking to obtain details of how to apply for this. I now understand that we have to await the decision from the planning committee before we can even try for this protection. This seems to be a lot of obfuscation going on here which bars residents from finding their way through the system.


29 Oakhurst Rise

17/007107



13/00710/



Judith Baker

From: Judith Baker
Sent: 12 March 2018 09:27
To: Internet - Planning Comments
Subject: FW: Objection to Planning Application 17/00710
Attachments: Results table flood.docx; Flooding map GL52.pdf; wildlife back up.xls

judith baker
planning support services
email: judith.baker@chelfenham.gov.uk
tel: 01242 774940

From: \\\V\ [REDACTED]
Sent: 10 March 2018 10:51
To: Internet - Built Environment; [REDACTED]
Subject: Objection to Planning Application 17/00710

29 Oakhurst Rise

Dear Ms Crews

We continue to object to this proposal in the strongest possible terms.

Over the past 12 months neighbours have conducted a number of short surveys of local residents on issues of experiences of flooding. We have also asked for reliable sightings of protected wildlife in the area.

Flood risk and unstable ground

What we have exposed in these surveys is the total unsuitability of the site in terms of aggravating the existing flood risk to properties downhill from the site. There have also been a number of comments from residents in Oakhurst Rise and Charlton Court Road about existing subsidence risk due to clay soils, spring lines and large trees. Residents are also most concerned about the risk of run off flooding during development of this clay site once the absorbent top soil is removed to reach levels. This happened when just 3 houses were built above Oakhurst Rise, the run off from 100 houses will be considerable and we anticipate a repetition of the Leckhampton site flood issues last year.

Biodiversity

We have also exposed the immense value of the area in terms of biodiversity. I note with interest that Natural England commented on the sites potential connectivity to the protected Beech Woodland SSSI on Cleeve Common. The presence of reptiles (including adders) on site would support a high degree of connectivity to the SSSI and the AONB.

I must again insist that the correct Environmental Surveys are carried out by an Independent Ecologist as the Consultants commissioned by the Developers have not done the correct ground work eg full pond and reptile surveys. We also feel that the existing surveys seriously downplay the value of the site. I do not see

Page 465

how decisions about the ecological value of the site can be made this early in the Spring when no-one independent has assessed the site in the growing and breeding season.

I attach 2 tables of evidence from local residents and a map of flood risk. Some of this information will probably be submitted by other members of the community in due course.



Species_Name	Location	Grid_Reference	Date
ADDER	Oakhurst garden	964215	2004?
GRASS SNAKE	Oakhurst garden	964215	2006
SONG THRUSH	Oakhurst garden	964215	2017
BATS	Oakhurst garden	964215	2017
BATS	Oakhurst garden	964215	2017
SONGTHRUSH	Oakhurst garden	964215	2017
BUZZARD	Oakhurst garden	964215	2017
OWL	Oakhurst garden	964215	2017
BADGER	Battledown garden	967218	Feb-17
SPARROWHAWK	Battledown garden	967218	2017
GRASS SNAKE	Battledown garden	967218	2015
ADDER	Battledown garden	967218	2010?
DORMOUSE	In ancient hedgerow	967218	2011?
GREATER SPOTTED	Park	963217	2017
SONG THRUSH	Park	963217	2017
BUZZARD	Park	963217	2017
SPARROW HAWK	Park	963217	2017
PAINTED LADY	Park	963217	2017
RED ADMIRAL	Park	963217	2017
SMALL TORTOISEHELL	Park	963217	2017
Lesser Spotted	27 Oakhurst Tree in garden	964215	2017
Badgers x 2	Prep fields at sett	965216	2017
SPARROWHAWK	21 Oakhurst garden	964215	2017
GRASS SNAKE	Oakhurst garden	964215	Sep-17
BUZZARD	Oakhurst garden	964215	2017
BATS	Oakhurst garden	964215	2017
LESSER SPOTTED	Oakhurst garden	964215	2017
ADDER	Park	963217	2012?
SLOW WORM	1 Oakhurst garden	964215	2016
HEDGEHOG	29 Oakhurst garden. Wendy House	964215	Summer 2016
GRASS SNAKE	29 Oakhurst garden	964215	2013?
SONG THRUSH	15 Oakhurst front garden	964215	2017
SPARROWHAWK	15 Oakhurst front garden	964215	2017
SPARROWHAWK	15 Oakhurst front garden	964215	2017
BATS	29 Oakhurst tree line	964215	2017
BADGER	Prep fields sett	964215	2008
BRAMBLING	29 Oakhurst garden trees	964215	2017
SONG THRUSH	29 Oakhurst garden lawn	964215	2017
SLOW WORM	16 Oakhurst	964215	2014
LESSER SPOTTED	Prep fields	965215	2017
ADDER	Prep fields	965215	2010?
ADDER	Prep fields	965215	Summer 2016
BAT ROOST	Oak tree T18	965215	2017
BAT ROOST	Ashley Manor	965215	2017
COMMON PIPISTRELLE	Prep fields	965215	2017
SOPRANO PIPISTRELLE	Prep fields	965215	2017
NOCTULE	Prep fields	965215	2017
MYOTIS	Prep fields	965215	2017
BROWN LONG EARED	Prep fields	965215	2017
LESSER HORSESHOE	Prep fields	965215	2017
SEROTINE	Prep fields	965215	2017
SPARROWHAWK	Prep fields	965215	2017
RED KITE	Prep fields	965215	2016
BUZZARD NEST	Prep fields	965215	2016
GRASS SNAKES	Prep fields	965215	2015

NEWTS	Prep fields	965215	2016
Goldcrest	Prep fields	965215 2008?	
Newts	Pond North of Prep field	965215	2017
Badger sett	Prep site near T10 tree	965215	2017
Badger Sett	Prep site near T10 tree	965215	Mar-17
Badger Sett			Sep-17
Badger sett			2017

Observer

Determiner

Mobile available. Local resident
E.Scott
E.Scott
E.Scott
E.Scott
E.Scott
Local dogwalker
A.Thurlow
A.Thurlow
Rodney No.21
Rodney
Rodney
Rodney
Rodney
B.Cadbury No. 1
B.Cadbury
Lythgoe family
C&L Lythgoe
C.Lythgoe
Ned No. 15
C.Lythgoe
C.Lythgoe
C.Lythgoe
C.Lythgoe
C.Lythgoe
A.Capon No 16
S.Wall School Groundsman
S.Wall School Groundsman
A.Phillips Tree Surgeon
Allecollogy consultant
S.Wall School Groundsman
S.Wall School Groundsman
S.Wall School Groundsman
S.Wall School Groundsman

S.Wall School Groundsman
L.Lythgoe 29 Oakhurst
Many, many neighbours
Many many neighbours
F.Sharpe Sharpe Ecology
CBC consultant
Allecology consultant

Comment	Altitude
Disturbed in garden bordering Prep field	
In garden	
On lawn	
At dusk flying	
At dusk flying	
On lawn	
In flight	
Heard	
In garden seemed agitated as sett disturbed by JCB	
Hunting	
In garden	
In long grass at bottom of garden adjoining field	
See in ancient hedgerow on field	
On tree	
On grass	
In air	
Hunting at low height	
Seen September	
On tree	
Observed at dusk foraging	
Regularly hunts around trees	
In garage	
In air	
Around treeline at dusk	
On dead wood tree	
Dog disturbed in grass	
In compost heap	
In wendy house	
In rotten tree root hibernating	
On lawn	
Hunting at low height	
Hunting at low height	
Around trees at dusk	
In garden thicket young one	
In garden trees	
On lawn	
In letter box	
Seen regularly in season	
Under tarpaulin on cricket ground	
Disturbed near tree	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Bat survey done by developer Planning Ref 17/00710	
Hunting over grounds	
See in sky overhead	
In large Scots Pine	
Near compost	

in ponds

Flying out of hedge

In ponds and swimming pools

Very active. 24 tunnels. Extensive foraging trails

Large active sett

"Easy to relocate???"

occasional
seen once
frequent

photographs police incident 224 14/2/17 re disturbance with JCB

awaiting consultant report
report on planning portal 17/00710

Provenance

Record_Type

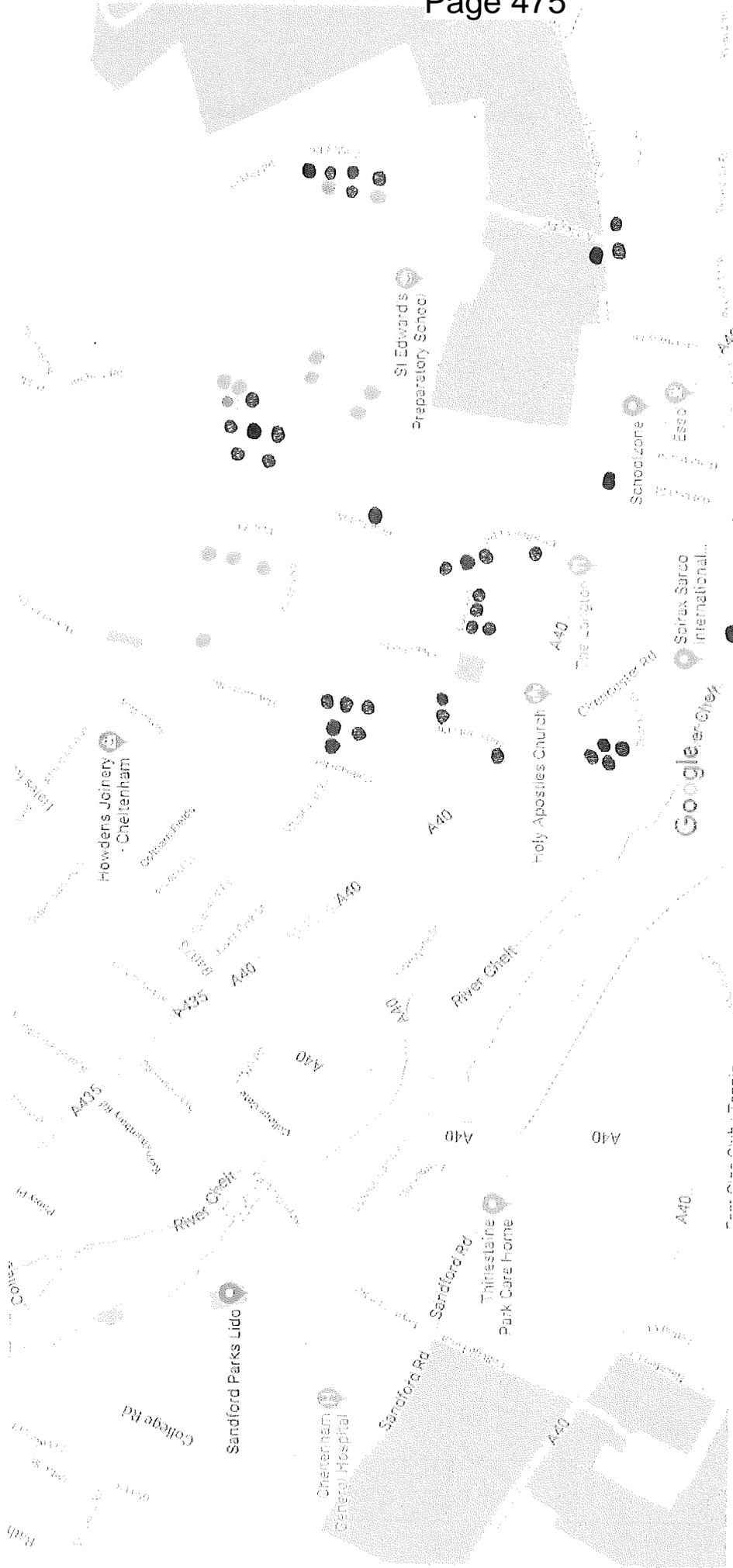
Sex_Stage

Surveyors_Ref

Photograph. Huge sett 24 tunnels on field

photographs

Google Maps Fig. A. Flooding observed by local residents



Key

- Surface
- Run Off
- Springs or groundwaters flooding

Flood Evidence for area downhill from proposed housing Application Ref: 17/00710

Address	Location of flooding	Frequency	Description (Quoted from respondent)	Probable cause of flooding	Measures in place to protect property	Evidence available
GL52 6RH [REDACTED]	Our 'Cellar' properly converted basement rooms	X2 in 2007	In sustained heavy rainfall, Haywards Road and its gulleys struggle to cope to get the rain away.	Flash flood from rain Existing infrastructure (even with the Cox's Meadow Flood Relief Scheme) seems to barely cope.	Sump pump Non-return valve on the main drain exiting the house	Yes Statement from insurer
GL52 6JF Coronation Flats	Lobby, Interior of flat, Bathroom, Bedroom	June 2016	The flooding risk in this area is already unacceptably high. Beaufort Road becomes a river, which pours straight down to Coronation Flats at the junction of Oak Avenue and Charlton Court Road. Last June, during a storm of fairly average strength, Coronation Flats flooded, filling the lobby with water and turning the gardens into rivers. Water breached our (new) bathroom and my son's bedroom.	Storm run-off from road when drains overwhelmed The council, when contacted, admitted that the 'drains could not cope' with heavy rain		Evidence from Planning Portal
1 Haywards Road GL52 6RQ	Garden	Once	the houses across the road with cellars have been flooded numerous times	Flash flooding of river or brook due to heavy rain	Additional drainage pipes or french drains	No
GL52 6JU	Road		Flooding at junction of Charlton Court Road and Beaufort Road			
GL52 6RH	Garden	X2 2007	The area at the junction of Churchill	Probably multiple	Non-return valve fitted by Severn	Yes

	Cellar Interior house		Gardens and Haywards Road flood when there is heavy rain. Also, the drains on the London Road are unable to cope with heavy rain and overflow close to Holy Apostles Church creating a torrent of water that flows down the London Road towards town past the entrance to Haywards Road. Probable cause	issues, but these include inappropriate management of new storm drains, blocked drains and sewers, surface run off from road and flash flooding of a brook.	Trent. Have fitted own sump pumps	Photographs Available
GL52 6NS Charlton manor	Garden Cellar	Annually	Ashley road; surface run off after any heavy rain, or when the water table is saturated	Flooding from seasonal spring emerging And surface run off	Additional drainage pipes or french drains Soak away Underground water store	Personal testimony
GL52 6NS Castle Farm Ashley Road	Garage Interior of house	X2 2007		Torrential rain	After two floods Severn Trent fitted a non return valve on the septic system	
28 GL52 6JU	Garden	Once Late 80's	Flooding downhill off field and into garden	Run off from the top field when the St Edwards school contractors dumped large amount of soil on the '100 house' field.		Personal testimony

5 GL52 6JU	Garden Garage			In July 2007 our garage and part of our back garden was flooded by water pouring down the drive from the drives on the upper side of Oakhurst Rise. The water flooded the garage until the height of the side door step was reached then it continued down our garden in to the garden of a house in Pine Close.	Torrential rain Surface run off from road		Personal testimony
GL52 6NS	Interior of house	X2		Flooding from seasonal spring emerging Other (please specify): movement of aquifers as water table shifts in the bordering escarpment		Additional drainage pipes or french drains Other (please specify): Tanking	Personal testimony
22 GL52 6JB	Garden Garage Pavement Road	X1		1981:V heavy rains water flowing down the field threatening houses. Carmelites and neighbours dug trench at night to avoid gardens/houses being flooded. Field so wet that could not be mown for school use : a late hay crop was harvested on this lower field. Last year water came under the fence of no. 22 whereupon I dug another trench on the field to divert water towards the stream.	Run off from St Eds field	Drainage ditches Dug on the lower school field	Personal testimony
23 GL52 6JB	Garden Garage Pavement Road	X3		In recent years any heavy rains have caused storm water to flow thro' no. 23 garage (later sealed) and through 23 garden onto the cul de sac	Run off from St Eds field	Drainage ditches Dug on the lower school field	Personal Testimony Testimony of named Carmelite
GL52 6JS	Interior of house	X1 2007		Kitchen and garden were flooded by a few inches. Didn't make a claim on insurance though due to premiums going up so sorted	Run off down hill after heavy rain		

				<p>out the issue myself. Live in the middle of Beaufort Road (so on a hill!) so was very surprised to be flooded.</p> <p>During any heavy rain the water comes rushing down Beaufort Road and gathers at the bottom.</p>					
19 GL52 6JG	Garden Garage Interior house	X2 2007	<p>Collapsed drain or sewer</p> <p>Cause was collapsed culvert in Oak Ave/Churchill Drive and huge volume of rain which overwhelmed the brook under our gardens</p>	<p>At junction of Oak Avenue and Churchill Drive - due to permanently block road drains</p>	<p>None to our houses but the Local Authority have repaired the underground culvert under park in Oak Av/Churchill Drive Q7</p>	<p>Photographs</p>			
GL52 6RQ	Garden	X4 2007, 2009, 2011, 2014	<p>we moved from 34 to 23 haywards rd which flooded the garden regularly whenever it rained. The 2007 July rain caused floods into the properties which was driven by cars moving along haywards road from non-residents. We tried to stop people from driving down as flooding was pouring into the basements on even side.</p>	<p>Surface run off from road</p> <p>the ground is high in clay and therefore does not absorb water –</p> <p>Also seasonal spring possible with water table.</p>	<p>Personal testimony</p>				
Available on request	Interior of house	x2 2007		<p>Flash flooding of river or brook due to heavy rain</p> <p>Flash flooding of river or brook due</p>	<p>Flood barriers and gates</p> <p>River banks raised by the Environment</p>	<p>Contact details available</p> <p>Photographs</p>			
Little Orchard GL53 8ES	Garden Shed	x20	<p>Really devastating was in July 07 but flash flooding is a fairly regular occurrence and for example, was pretty bad in June of last</p>						

			year - 2016.	to heavy rain	Agency	A series of CD's with videos of the flash flooding and damage
8 GL52 6JU	Garden Garage Side entrance	1981 x1 2007	Ground water flooding after a wet winter Run off from fields	Run off from St Edwards field		
25 GL52 6JU	Garage	Several times	Flooding from seasonal spring emerging Water table too high	Spring High water table Run off from construction site	Sump pump Eventually after many years fitted an electric pump with a float to drain the garage pit which is 8ft x 3ft x 3.5ft deep. Now filled in with concrete and rubble	Water problems caused by 3 house development – uphill Submitted as part of No. 29 Objection
14 GL52 6JU	Garden	Dec 2015		Volume of ground/surface water due to heavy rain		
QE II Playing Fields	Every winter		Field becomes completely waterlogged in numerous places for much of winter. 2 ponds emerge all winter			Well known by dog walkers
Top fields of St Edward's Prep	Every winter		Fields have standing water, inches deep as water table rises and top soil saturated		Drainage ditches dug water channeled south to brook	Personal testimony
Scout field St Edwards Prep	1980		Run off from field caused problems for neighbours on Charlton Court and Oakhurst		Drainage ditches dug water to brook	

St Edwards Prep	2007			Culvert at foot of grounds blocked and flooding of several properties ensued			Council deepened retention pond	
Ashley Road near Home Court Farm	1980's			Serious flooding of road due to run off and overflow of brook. Large retention pond built near running track			Council built large retention pond	
St Edwards Ashley Manor	Cellar Scout field Road	1 winter in 3		Rise in ground water Run off from fields at top Collapsed drains from tree roots Pillows of water under scout field due to volume of water Water pours out of springs and down road into brook when drains overwhelmed		Cellar pump installed		
27 GL52 6JU	Garden	2013				Run off from road		
18 GL52 6JU	Garden	Annual				Run off from field High water table		
29 GL52 6JU	Garden	Every 3 winters or so 2007 2006		Flooding from seasonal spring Water pours out hillside for many days when it rises Collapsed drain in garden		Heavy rain Spring Collapsed drain Springs	French drains Had to pump water away in 2012 to prevent entering house	Personal testimony
Baedalas Tun	Garden							
Briggs Meadow GL52 6PJ	Garden Under house	2007		Springs rose after heavy rain				
GL52 6JU	Garden	x1		Water ran off fields raised above property		Run off from St		

Battledown Estate Ashley Road At Barrier	Garage Roads and ditches	1 winter in 3	Water pours out of springs and down road and drainage ditches	Edwards field		Well known by locals
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20

From: [REDACTED]
Sent: 12 April 2018 20:24
To: Internet - Built Environment
Cc: [REDACTED]
Subject: Fw: Planning application objection 17/00710 land off Oakhurst Rise

Dear Ms Crews

The attached information does not seem to have found its way onto the planning portal so would you be kind enough to add it.

Rebuttal of heritage statement

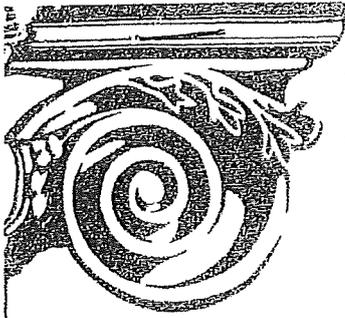
I note with concern that AHC Heritage Consultants inaccurately state that the original design of the windows in the more public areas of the Grade II listed Ashley Manor House was intended in some way to ignore the northern view of the fields and oak trees.

I would strongly dispute this as one of the most impressive views in the entire house is from the main entrance hall, looking north and located at the foot of the marble staircase. The Hall with its absolutely stunning late Regency plasterwork was clearly designed to be very showy and impressive and this aspect gives a beautiful and unspoiled view of the fields that the consultant has failed to photograph. This particular view has been unchanged over the centuries. It seems very clear that the original designer of the house did indeed intend for the oak trees and fields to be a frame and a backdrop from both the exterior and interior of the house.

This beautiful view has been framed by the unusual design of the window and space at the base of the marble staircase. This makes the view an absolutely integral part of the house, and it remains a stunning perspective for the hundreds of visitors who come to the school every term. Additionally the window and view forms a lovely backdrop to the Christmas Tree that is placed in this position every year. I would fully support Historic England in their view that the fields have been an integral part of this Manor since the 1700's.

Regards

[REDACTED]



CHELTENHAM borough council

BOROUGH ENGINEER and SURVEYOR: A. C. Morgan, B.Sc., C.Eng., M.I.C.E., M.B.I.M., D.M.S.
P.O. Box 12, Municipal Offices, Promenade, Cheltenham, Gloucestershire, GL50 1PP.

PLEASE NOTE NEW TELEPHONE NUMBER

telephone: 0242-262626
facsimile: 0242-577986
direct dial:

██████████
25, Oakhurst Rise,
Cheltenham,
Glos.
GL52 6JU

your ref:
our ref: PJP/BG/CH8
ask for: Mr. Phillips
extension: 2230

22nd January, 1991

Dear Sir,

Surcharge of Groundwater at Oakhurst Rise, 10th January, 1991

I refer to the events of the above date when water emanated from the ground via a gully/soakaway between your bungalow and garage, and also through and beneath your bungalow foundations, particularly on the downhill side. Apart from causes due to the preceding rain, it appears that a significant contributory factor was water apparently emanating from a development site to the north-east of your property. On the above date, the site groundworks contractor pumped out his flooded works to a pond or depression in the south-west corner of the site. As far as he was aware at the time, the water was dissipating from this location satisfactorily. I understand that, had they known the effect of their actions they would not have pumped to the pond/depression. They regret the problems which seem to have ensued. The developer's representatives met Mr. Phillips on site on 16th January and gave him assurances that any future pumping will be discharged to the surface water drainage system laid beneath the site access road, and which outfalls in Birchley Road. They also pointed out that as soon as they were made aware of the problem on 10th January, they diverted the pump discharge to the constructed drainage system. Intercepted land drain flows will be similarly diverted.

It appears that whatever outlets to the pond/depression do exist were beaten by the pump discharge, and an underground route to your property, by-passing No's 27 and 29, was followed by the water. Establishing the location and nature of this underground route could be very expensive and disruptive and, I regret, is a private matter. Similarly, establishment of the true nature of the drainage from the pond/depression is also a private matter, as virtually all the system which is believed to exist is within private land.

/continued

U

RDH.D

17th January 1991

Berkeley Homes (Western) Limited,
17, Apex Court,
Woodland,
Almondsbury,
Bristol. BS12 4JT.

02454 615927

Called 7/3/91

M.D.

Philip Withers

For the attention of David Keyes - Building Director.

Dear Sirs,

We believe you are the Developers relating to some development taking place at Birchley Road, Battledown, Cheltenham.

We act for Mr. and Mrs. Wilks of 25, Oakhurst Rise, Cheltenham.

We believe it to be the case that water has been discharged from your site in such a manner that it has flowed on to our clients' property in such a way that has caused flooding to our clients' property.

We believe that certain preventative measures have been taken although these may prove not to be successful in any event as our understanding is that the water is still discharging towards our clients' property.

We must make it clear on behalf of our clients that they hold you responsible for any damage caused now or in the future, as a result of the water discharge.

Yours faithfully

BRETHERTON PRICE & ELGOODS

(Solihull)

solicitors & advocates

OUR REF: [REDACTED]
YOUR REF:
DATE: 2nd October 2007,

Solicitors' Chambers
30 Cambray Place
Cheltenham
Glos GL50 1JP

DX 7474 CHELTENHAM

[REDACTED]
25 Oakhurst Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JU

Dear [REDACTED]

Re: 25 Oakhurst Rise

I refer to your telephone calls to the office about the problems you had with the wall and I have been through the file and there is nothing which I think particularly helps.

After completion I was sent a copy of the Transfer of the 19th of August 1971. This is an Office Copy, the original is with the Land Registry and you can of course get copies at any time. The plan shows that the boundary to the left of your property as you look at it from the road and the rear property belong to you. I also read through the correspondence and enclose a copy of my letter of the 27th of March 2004 when I see that I sent to you copies of correspondence but as you will see I did not retain copies. I go on to say there has obviously been a problem historically with the drainage of ground water at the property. I also enclose the copy of the register as it was just before you purchased, but that does not seem to help either.

If there is anything further I can do to help please let me know. There is nothing on the file but if you have that correspondence and if you think it would assist I would certainly come to meet you and look at the problem on the spot.

Kind regards.

Yours sincerely,

[REDACTED SIGNATURE]

0207 222 222



Sole Principal: Simon Hett LL.B (Hons)
Consultant: John Martlew LL.B LL.M
Regulated by the Law Society





Meadow View

The Meadows

ONKREST RISE

Leasow View

Embrey

Scale

Key

• Springs that emerge after extreme drier periods.

• 1 Spring fed Reservoir shown on 1880 map



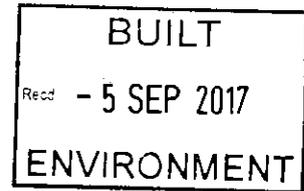
Know Your Place
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2/9/2017

Page 490

4, Home Farm Court,
Greenway Lane
Cheltenham,
GL52 6LA.

Planning, Municipal Offices,
Promenade, Cheltenham.
Ref: 17/00710/OUT.



Dear Sir/Madam,

I wish to object to the plans for new houses and blocks of flats proposed to be built on St. Edwards School Field. My reasons for my objections are:-

1. Loss of open green field space.
2. Increased over-looking of neighbouring properties and higher flood risk due to elevated position of the site.
3. Loss of trees and hedges with adverse impact on wild life, increased traffic generation and increased health and safety concerns.

I therefore urge the Planning Committee to reject the plans.

Yours sincerely,





Ms Tracey Crews,
Director of Planning,
Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
GL50 1PP

15 Hillview Road,
Cheltenham,
Gloucestershire,
GL52 5AE.

Thursday 31st August 2017

Dear Tracey Crews,

I am writing to you in objection of the proposed development on the ground of St Edwards Preparatory School in Charlton Kings, Cheltenham.

As an 11 year old Year 7 school child, I ran my first ever cross country race on that course. The hill was one of the toughest things that I have experienced and I remember the other athletes going past me and finding the whole experience very demanding. However, it motivated me to do more, run faster, train harder and helped to drive my enthusiasm for athletics and cross country.

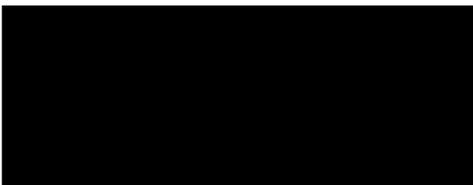
After running in this race, I joined the Cheltenham & County Harriers running club and at the age of 14 switched from multi events to being purely an endurance runner. Each year after my first experience, I returned to St Edwards to run in the District Schools Cross Country Championships. Despite my lowly position in the 90s in my first race, I persevered. Each year, my positions improved and I eventually got selected to represent the county at the National Schools Cross Country Championships. I was to get selected for this event twice. In my final year running at St Edwards, as a Year 13 pupil, for the first time ever I won the race. The feeling of elation was immense.

Many things have happened since then. I am still a runner with Cheltenham & County Harriers and have gone on to raise thousands for charity and run in some very special races. I have, in the past few years, been the Vice-Chairman for Cheltenham & County Harriers, and filled many roles at the club. I currently coach and organise the next generation of athletes. The distance runners amongst them thoroughly enjoy running on this course, which has also held the County Primary School Championships on several occasions.

I was a Games Maker at the London 2012 Olympics, lucky enough to help out on the track with the Blocks team. Since then, I have continued to help in the Blocks team at subsequent Anniversary Games and this year at the World Championships as well. We discussed, at length, the impact of 'The Legacy' and where the money was going. Some of the pots of money seem to be shrinking and sadly some great schemes, such as the UK School Games seem like they are soon to conclude.

However, as a PE Coordinator and class room teacher at Upton St Leonards CE Primary School, I am acutely aware of how much money is put into school PE and Sports Grants. Schools are lucky to have pots of money to help develop the next sporting stars but they cannot do this without the facilities to do this. Whatever happened to preserving our green spaces? I am also the Secretary for the Cheltenham & District Schools Athletics Association. We rely on this venue as a safe and challenging venue where school children thrive in their cross country running experience. Enabling the next generation to find their sporting success is something I am proud of, with my roots in cross country. We hear of many of the 'top athletes' referring to their grass roots experiences when they go from park to podium, but I fear that with this development we are putting that in danger for the Cheltenham district and risk losing our proud reputation as a cross country town.

Yours Sincerely,



23



The School Bursary
Cirencester Road,
Charlton Kings
Cheltenham GL53 8EY

8th September 2017

Dear Sirs

Re planning application ref 17/00710/OUT - application for up to 100 dwellings on land at Oakhurst Rise, Charlton Kings

We write to you in respect of the above planning application that has recently been made to the Council by William Morrison Ltd and the Carmelite Trust, the freehold owner of the land. The St Edwards Preparatory School is the occupier of the site but is not a party to the application. As we have made clear on previous occasions, the proposal came as a surprise to the School and was not something that the School had sought or supported. As you are aware from our letter dated 6th September, the School was only given notice of the planning application upon its submission on 16th August and not in April this year, as was referred to on the planning application.

The School is writing to set out its concerns and objections to the above development, to inform the deliberation of officers and members when it comes to make a decision. In summary, it is our view that the proposal submitted which, whilst an outline, does not reserve access, layout or scale for subsequent determination.

The first point to note is that the proposed development is not located on land allocated for development in the extant development plan. We are aware that the Council is one of the authorities promoting the Joint Core Strategy. We do not understand this site to have been identified for development as part of that exercise. Hence, neither the existing nor the proposed development plan provides any direct support for the release of this site for residential development. We are also aware that there is a debate as to whether Cheltenham Borough Council is able to demonstrate a rolling five-year housing land supply consistent with the National Planning Policy Framework. However, whether or not the Council is able to demonstrate such a rolling five-year housing land supply is not determinative of any planning application and certainly not one such as this with its potential effects upon high order designated heritage assets, the setting of Cheltenham and the setting of the Cotswolds Area of Outstanding Natural Beauty. These are all high order restrictions on development, recognised both in the statutory development plan and in national policy. As set out below, there is also no alternative view expressed in the draft Joint Core Strategy, which has now reached an advanced stage and to which one would expect significant weight to be attributed in any decision made.

Doubtless the Council will be aware of the Supreme Court judgment [2017] UKSC 37 in the **Richborough** case which authoritatively determined that national policy could not render policies in the statutory development plan as "out of date" such that they should no longer form potentially weighty considerations in planning decisions. That is particularly pertinent to any questions relating to the potential absence of a rolling five-year housing land supply contended for by the applicant.

You will be aware that Ashley Manor, which forms one of the principal School buildings is a Grade II* listed building. Buildings of Grade I and II* are of an exceptionally high quality and represent only some 6% of all statutorily listed buildings in the country. It is for that reason that paragraph 132 of the NPPF provides that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be".

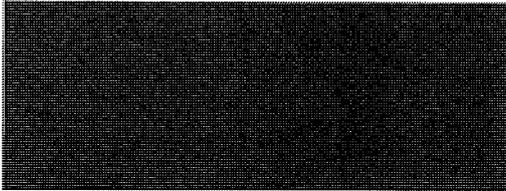
Further, when harm is found to occur to the setting of a listed building, courts have been clear that a "strong presumption" arises against development. Whilst that strong presumption can be overridden, it would require very strong and weighty considerations to do so. This is made clear in the Court of Appeal decision in **Barnwell Manor [2014] EWCA Civ 137** and the High Court judgement in **Forge Field [2014] EWHC 1895 (Admin)**.

In this instance, we have read the RPS CgMs heritage assessment which recognises that there will be harm to the setting of Ashley Manor and, to a degree, to the Summerhouse (which is listed Grade II). We consider that the development as proposed will adversely affect the setting of both listed buildings, and in particular Ashley Manor which is more proximate to the proposed development. We note that there is an area of landscaping proposed in the area of the proposed development nearest to Ashley Manor but we consider that this is woefully inadequate in order to protect the setting of this listed building. We recognise that the setting of the listed building is not unaffected by some of the school buildings located to the east and to the north of it. However, its setting, particularly when one views its principal elevations from the school drive is substantially unaffected by the remaining school buildings and remains legible within the extensive landscape setting within which it sits. The area for proposed development forms part of that setting. Hence, the scale and layout of the proposed development will have a significant harmful effect upon the setting of Ashley Manor which any future details relating to landscaping will not, in our opinion, be capable of adequately mitigating. As noted above, the applicant's heritage adviser recognises that "less than substantial harm" will be caused to the setting of listed buildings. However, the fact that it is less than substantial harm does not alter the fact that harm arises. That engages the statutory test set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It also means that the presumption in favour of sustainable development set out in paragraph 14 of the NPPF is not engaged unless the benefits of the development are first shown outweigh the harm to the heritage asset. Again, this has been recognised by the courts in **Forest of Dean DC -v- Secretary of State [2016] EWHC 421 (Admin)**.

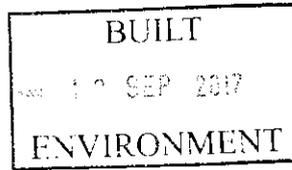
We are conscious that the school site is visible from the surrounding Cotswolds AONB particularly from elevated locations to the south. Doubtless, many will be familiar with the journey down the Cirencester Road from Seven Springs towards Cheltenham. As one proceeds down that part of the scarp (which is part of the AONB) the first view of Cheltenham becomes clearly available and a prime component of that view is the school site, including the field the subject of this proposal. The likely adverse effect upon views to and from the AONB and upon the setting of Cheltenham would appear to be in clear conflict with policy CP3 of the extant Local Plan. It would also appear to conflict with policies SD7 and SD8 of the draft Joint Core Strategy. It would similarly be in conflict with national policy contained in the NPPF which seeks to protect similar interests of acknowledged importance. We also consider that the land forms a "valued landscape" for the purposes of paragraph 109 of the NPPF. We accept that this requires a consideration that the site has demonstrable physical attributes that take it out of the ordinary. That is the case here. To be a valued landscape does not require the land to be designated. Indeed, as the Council will be aware the Secretary of State (together with his inspector) considered that this was the case in respect of the land at Kidnappers Lane, Leckhampton, which was refused permission last year for residential development for that reason, among others. These appear powerful objections to the proposed development.

We note also that the proposed development is located on land which has poor porosity due to the underlying material. That means that natural ground infiltration of rainwater is poor and would be increased via the hard surfaces of the development proposed. The proposed drainage strategy appears to anticipate utilising underground storage via the use of crates, together with off-site surface water drainage towards main sewers to the west of the site. There is also suggested utilisation of an on-site pond. The School remains concerned that it has not yet adequately been demonstrated that surface water drainage can occur in a satisfactory manner that would not give rise to land surface flows over the School's remaining land.

Yours faithfully



Chair of Trustees
St Edward's School



8 Oakhurst Rise

Cheltenham

GL52 6JU

12 September 2017

Dear Sirs

Re: Planning Application 17/00710/OUT

I am writing to object to the above planning application for the following reasons: flooding risk and access.

Having lived in Oakhurst Rise for over 20 years, I have experienced flooding in 2007. Water poured out of 3 layers of dry stone walling in my garden, around the side of the garage and down my front drive. Subsequently, I have seen the garden completely waterlogged when we have had heavy rain.

Access to Oakhurst Rise is steep and narrow. We do not have it gritted when snow and ice are on the ground, so further traffic would cause many more problems. Also traffic converging at Sixways is already at a standstill at peak times, and this plan for a further 100 houses would exacerbate this problem.

There are many other reasons to object to this proposal, but I feel these two objections are the most critical.

Yours faithfully

A large black rectangular redaction box covering the signature area.

A black rectangular redaction box covering the address area.



71 Southgate Drive

Cheltenham

Glos GL537QR

4th September 2017

FAO: Michelle Payne

Planning Officer

Cheltenham Borough Council

PO Box 12 Municipal Offices

Planning ref 17/00710/OUT - Land off Oakhurst Drive outline planning for 100 houses

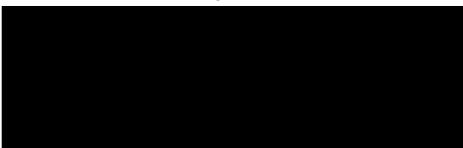
Dear Ms Payne,

I am very concerned about the above planning application. As a lifetime Cheltenham resident in this part of the town I object to the application on the following grounds

1. **TRAFFIC** The traffic created by the occupants of 100 houses (working on the Office for National Statistics projection for 2021 of 2.7 vehicles per household) will be completely untenable at the bottlenecks of Hales Rd traffic lights and Sixways traffic lights. The traffic delays at both of these locations in the increasing number of busy periods are barely tolerable at the present time and a further 270 cars cannot be contemplated.
2. **DRAINAGE** There are serious questions to be raised about the capacity of the existing (ageing) drainage systems coping with the increased runoff and effluent output of such a number of houses. Although I, personally, avoided flooding in 2007 I experienced problems insuring my house for several years following this disaster. Most meteorological predictions warn of increased numbers of extreme weather events in view of global warming.
3. **HABITAT LOSS** This land boasts a unique habitat containing mature oak trees and ancient hedges, not to mention a number of rare and endangered species of animals – including bats, slow worms and newts. As a child I took a great interest in the natural history of this and adjoining areas and would urge a proper full survey as a matter of immediate necessity. Once species have been displaced or exterminated it is too late!

On these grounds I would ask you to refuse to consider the above application any further.

Yours faithfully,



PS Your website does not appear to be accepting email planning objections.



25, Brook Vale
Charlton Kings
Cheltenham
GL52 6JD

4.9.17

Planning Ref 17/00710/OUT

With reference to the above application, residing at the above address, I am deeply concerned about the impact the above proposal would have upon the locality.

The majority of residents in Brook Vale have at least two cars, some have three and if they are unable to park in Brook Vale they are parked on Charlton Court Road. This road is also used for parking by people visiting the shops on London Road; a risk to emergency vehicles.

The road in question is a well known "Rat Run" and can best be described as an assault course, exacerbated during the 'school run'.

It is not easy to exit from Brook Vale at the present time.

The application for development of the Tim Fry site was turned down because of concerns about the increase in traffic.

During the floods of 2007 several of my neighbours were flooded and I was anxious that my property was at severe risk.

A hard surface which would be created by the proposed development would increase surface water run off, indeed the current drainage system was unable to cope with the 2007 deluge.

During the years I have lived here there ~~the~~ have been problems with the foul sewer becoming blocked.

Therefore if another 100 houses are going to discharge into it, those of us lower down are going to be severely inconvenienced should a blockage occur

Yours faithfully





Lisvane,
Oakley Road
Battledown
Cheltenham.
GL52 6PA.

Friend of Chavon Kings.

Dear Sir
Having received your card
for the proposed planning
application to build 100 houses
at Oakhurst Rise I would
like it to be known that
I am totally anti this happening
for the many reasons that you
have stated.

Yours faithfully.

A solid black rectangular box used to redact the signature of the sender.



Cheltenham & County Harriers Athletics Club
Prince of Wales Stadium
Tommy Taylor Lane
Cheltenham
GL50 4RN

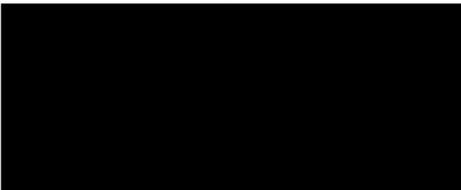
Dear Ms Tracey Crews,
Director of Planning,
Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
GL50 1PP

Reference number 17/00710/FUL: Objection to the proposed Housing Development on the ground of St Edwards Preparatory School in Charlton Kings, Cheltenham.

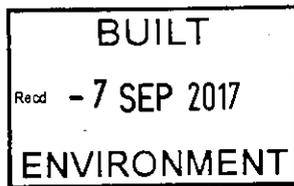
I on behalf of Cheltenham & County Harriers wish to object to the above stated development on the grounds of St Edwards Preparatory School in Charlton Kings, Cheltenham, due to the following impacts:

- The severe and detrimental loss of such beautiful green fields will significantly impact this all year round recreational and sporting facility.
- This will prevent the healthy activity and growth of many Cheltenham & District Schools and Cheltenham & County Harriers athletes aged 11 to 18 years old.
- The loss and demise of our local District school's cross country competition that enables the growth of athletes to compete at the next level of County, Regional and National Cross Country competition.
- The loss of this facility will impact the development of children, young adults and athletes
- The loss of such a recreational and sporting facility will prevent and affect the healthy activity of many local residents of all ages.
- Affects our sporting legacy.
- The loss of more natural open countryside views which would be lost forever and to the detriment of us and future generations.
- The loss of much wildlife and trees.
- Increased flooding due to the loss of 10 acres of green fields and the loss of many TPO oak trees
- Increased volume of 150-200 vehicles, traffic, parking, congestion of local roads and increased pressure on local infrastructure
- Increased noise levels from additional vehicles.

Yours sincerely



Secretary,
Cheltenham & County Harriers Athletics Club
Orchard House, GL2 8JF



Untitled



8 Pine Close,
Ewens Farm,
Charlton Kings.

To Whom it may concern,

I am writing to object to the planning application for St Edwards school fields.

It is proposed that ten acres of green fields will be built on to produce 100 houses. This will increase the risk of flash floods. Greatly increased rain water run off, into drains and sewers risk overloading the already fragile system. A large number of well established trees, some protected, are to be cut down as well as ancient hedgerows and organic meadow. This will affect the badgers, newts, slow worms, adders, and bird species that is home to them.

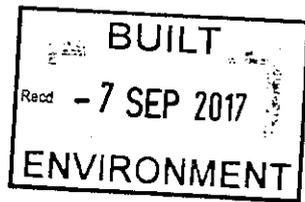
The severe traffic impact cannot be ignored with totally unsuitable access to the site. It is completely unacceptable to expect that around 200 hundred extra vehicles will have to use the steep Oakhurst entrance and exit, especially during winter months when it freezes, or there is a flurry of snow. Even the slightly smaller slop leading to Oakhurst during this time can become impassable. I have on more than several occasions witness owners abandon their vehicles on the side of the road. This will also become a problem for any new residents of the new site. Not to mention parking issues.

A much more suitable site was recently rejected (Tim Fry). One reason being traffic and yet this site would of had three entry and exit roads.

St Edwards school fields is a meeting place for our village community. Every year on bonfire night families get together and socialise. It's also used by the students of St Edwards. It is a completely unsympathetic, unsuitable, and unacceptable location for such a large amount of housing.

Regards





33 Charlton Court Road
Charlton Kings
Cheltenham
GL52 6JP

Dear Sir/Madam

RE. St Edwards School Fields
Ref No 1700710/OUT.

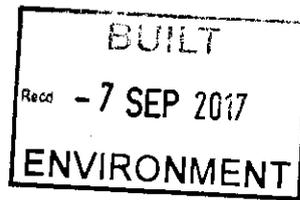
My objections :-

1. Traffic increase, probably 200 vehicles using a single entrance to the proposed site. Traffic impact on the Fwen's estate.
2. I am very concerned about the loss green fields, ancient trees and loss of wildlife habitat.
3. I am also concerned about the increased water run-off there as already been flooding at the bottom of St Edwards School playing field after heavy rain, on Greenway Lane.

Yours faithfully

1 Oakhurst Rise
 CHARLTON KINGS
 Cheltenham
 GL52 6JU

7/9/17



to Cheltenham Borough Council
 Planning & Regulatory Services
 PO Box 12
 CHELTENHAM

REF: No 17/00710/OUT

My objections to the above Planning Application are as follows: -

ACCESS

To gain access to Oakhurst Rise you have to drive up Ewens Road. The 20 mph speed limit on the road is not enforced so no one takes any notice - cars drive much faster than the limit - as it is seen as a shortcut to avoid traffic lights.

The junction with Ewens Road and Churchill Drive is dangerous. Cars do not GIVE WAY - they come straight out into traffic coming up the hill causing cars to take avoiding action.

Most residents of Ewens Road have unsuitable driveways by parking so most park on the road. The road is treacherous during icy

Weather.

TRAFFIC

OAKHURST RISE is a small CUL DESAC of about 20 BUNGALOWS — we have no escape from Road Noise as we are living at Road Level. 4 wheel drive vehicles and Delivery Vans are particularly NOISY.

My BUNGALOW is on the steep Rise that takes you up into the Cul de Sac. I have all my bedrooms and my garden on the Road Side.

Traffic at present is just about bearable.

Any extra traffic would make living on this peaceful little Cul de Sac impossible.

48 cars during peak rushhour is just the start and a lie.

How do you get 48 cars from 100 homes? More like 100

car journeys extra PLUS

- ✓ online deliveries
- ✓ VISITORS
- ✓ Tradesman
- ✓ School pick up — back home
- ✓ After School activities and home again
- ✓ Appointments eg Doctor/Dentist etc.
- ✓ Shopping
- ✓ going out
- and on and on and on

The public transport argument that the developers are using is a myth.

The ~~bus~~ local bus is every 2 hours - and ~~only~~ ^{covers} a fairly limited route.

Cycling - even fit people have trouble cycling up to and on to Oakhurst Rise.

It is dangerous for children as the steep incline goes straight onto oncoming traffic.

I have seen very few people from around here using public transport or cycling. The walk into town takes 25 minutes of BRISK walking. Using a car is convenient and we all love to do it.

PRIVACY

Having over 200 ~~thousand~~ people accessing these homes past my little & exposed BUNGALOW isn't going to afford me much privacy.

VISUAL IMPACT

At present when I look out of my front windows I see a line of beautiful trees - Oaks Ash Pine to name 3 of the many growing. Hedge rows are also ~~visible~~ ^{visible} as is the wildlife that depends on them.

Only the oak trees are protected. Planting laurel - which has no value for wildlife and isn't very attractive will not make up for the enormous loss caused by developers.

Street lights & Roof ~~tiles~~ tiles and blocks of flats will replace the beautiful green, natural & calming view.



I did try to email my objections but was timed out without any warning & well before 30 minutes.

10 Southgate Drive
Cheltenham
GL53 7QR

Planning Ref: 17/00710/OUT

7 Sept. 2017

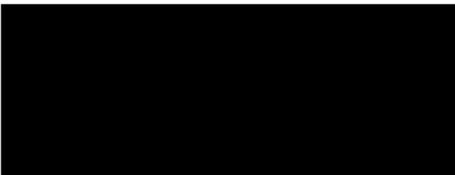
OBJECTION TO PLANNING APPLICATION FOR 100 HOUSES TO BE BUILT AT OAKHURST RISE.

My concerns are twofold - flooding and traffic.

FLOODING. At the moment this is open ground so that any rain that falls seeps into the ground and makes its way gradually into the river. If houses are built on this land any rain will go down the gutters and straight into the water course, making the chance of flooding further down the river much more likely.

Where I live the River Chelt runs at the bottom of the gardens, beyond which is Cox's Meadow. In spite of the millions of pounds spent on flood relief in this area it is still prone to flooding. In 2007 we had two floods within three weeks when Sandford Mill Road, Old Bath Road, the Fire Station and many houses in the area, particularly those with basements, were flooded. Building more houses higher up the River Chelt catchment area would make flooding in this area much more likely.

TRAFFIC. Building 100 houses means at least 100 cars, and it could be 200 or more. The roads on the Ewen's Farm estate and around Oakhurst Rise, from both Haywards Road and Hales Road, are already congested, in many cases with vehicles parked on both sides of the road. Building more houses in this area, with the extra volume of traffic, would make the situation much worse. A particular bottleneck would be joining, or crossing, Hales Road which often has a continuous stream of traffic, but exits on to the A40 via Haywards Road and, particularly, Charlton Court Road are also very difficult due to the high volume of traffic using this road.



38 Gratton Road Page 509

Cheltenham

GL50 2BY



13th September 2017

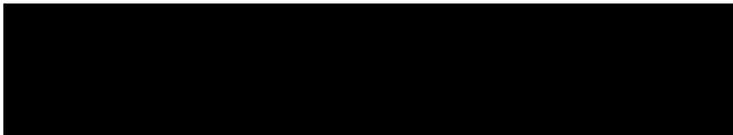
Dear Ms. Payne

Your Reference : 17/00710/OUT

I do not wish to see more housing built in an area that is already extremely congested. I note that the Tim Fry Landrover proposal for 80 houses was declined on account of traffic impact; I believe the impact of this proposal which is 20% bigger and in a much less accessible situation will be even more severe.

Logic would suggest that the proposal should be turned down.

Yours sincerely





*10 Raycroft Close,
Brimons Chase,
Chatterton,
Glos.
GL52 8SR.*

12th September 2017

Dear Ms Crews

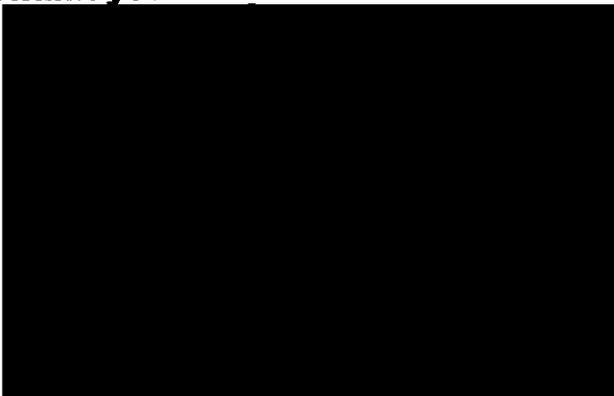
Planning Application 17/00710/OUT - Oakhurst Rise

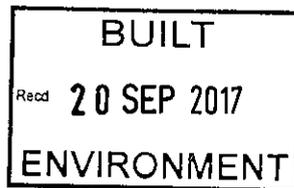
Please reject this proposal. The damage that will be wrought by developing this uniquely undisturbed area will be considerable. Local residents and staff, children and parents at St Edward's school all benefit from the amenity of lovely mature oak trees, meadow, ancient hedgerows.

The land has existed as a small part of ever diminishing estates since medieval times and many of the trees can be seen at a good, mature size on an 18th century map that is held in the Gloucestershire Archives.

It would be a tragedy to see this site lost particularly as it hosts such a variety of endangered creatures such as adders, hawks and newts. The site also an exceptionally large badger sett and accommodates all the species of bat that exist in this country.

Thank you





49 Gilpin Avenue
Hucclecote
Gloucester
GL3 3DD

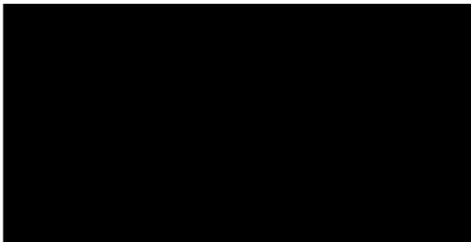
Dear Mrs. Payne

Objection to proposal 17/00710

I do not wish to see this housing estate built on such a valuable green field site.

One of my main concerns is flood risk as the whole area downstream of the site has suffered from severe flooding over the years. To cover porous surfaces with concrete in this vulnerable location seems foolhardy to say the least

Yours Sincerely,



12.9.17.

G2526JW.

Re - Oakhurst Rise.

Objections.



One access for 100 houses is ridiculous and our little roads will not cope.

Too much pressure on our infrastructure and all our lovely schools will suffer, losing very old trees, fields and places of beauty.

No way can Oakhurst Rise take all the traffic on their little piece of Heaven.

My husband & I have lived in this house for 54 years so know what it will be like.

Sincerely



Woolley Farm,
Page 513

Horn Lane,

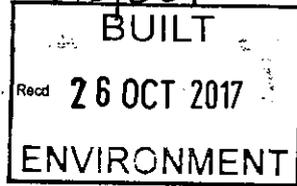
Chaulton Kings,

GL52 6NJ

23rd Oct. 17

Ref:

IT/00710/OUT



Dear Sir/Madam,

I would

urge you please to refuse this application to build up to 100 houses on St. Edward's School fields.

This is a great open space and a very valuable asset to the education of the pupils at St. Edward's Prep. School, and should be preserved as such, for present & future pupils to enjoy.

Up to 100 ~~houses~~ would
Page 514
generate at least 200 extra
cars in the area. The access
would be via Oakhurst Rise &
would cause tremendous
congestion throughout the area,
whether via the London Road or
through Ewens Farm. Oakhurst
Rise itself is narrow & totally
unsuited to this mass of extra
traffic.

Thank you for giving me
the opportunity to "have my say".
I hope this application will
be REFUSED.

Yours faithfully,

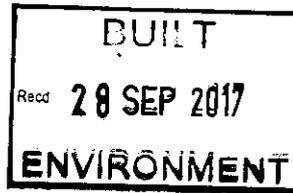


WADLEYS FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM

GB 52 6NJ

26th September '17.

your ref. 17/00710/OUT.



Dear Sir,

Outline application to build 100 houses in the grounds of St. Edwards Junior School.

I am totally opposed to this application for several reasons:-

- 1) The proposed access road is a narrow cul-de-sac totally unsuitable for a development of this size, potentially talking about 150+ cars per day using it.
- 2) The proposed site is at present a green field site, used by the school as part of their curriculum, it would be sacrilege to build on it.
- 3) The application is for outline only, if it were to be granted, the applicants would be free to apply for something totally different once the precedent had been established.

I urge you to dismiss this application,

yours faithfully,



Cheltenham Flood and Drainage Panel
32 Brookway Road,
Charlton Kings
Cheltenham
GL53 8HD



Application 17/00710/OUT

Dear Ms Crews,

I am writing as Chair of the Cheltenham Flood and Drainage Panel (formerly Charlton Kings Flood Action Group), to express our objections to this plan. We note that flooding concerns have been central to the repeated refusal of planning for this site in the past, even when the proposed developments were significantly smaller than the 100 houses being mooted this time. Against the backdrop of the 2007 flooding of Cheltenham and Charlton Kings, this fact all becomes more pressing.

This letter is mostly concerned with the specific issues of flooding and drainage, but I would begin by noting in a summary way the many further objections that have been raised against this plan, decisive in our view: its disproportionate size; the problems of access and traffic; the inappropriate nature of the housing involved; the insensitivity the proposal displays towards existing housing and the local area; and the likely detrimental impact of the development on the environment, and biodiversity.

On specific issues of flooding, it is noticeable and concerning that the Council's Pre Application Report, dated 17 March 2017 did not consider or highlight any flood issues whatsoever, despite the surface water risks, and flooding history, of the site. Neither did the Developer's Design Principles make any mention of the safe management of flood risk or surface water. These are very serious omissions, and suggest a shared failure properly to consider or

highlight this aspect of the development, failures reflected in the very inadequate flood risk and control plans submitted.

On this issue of LLFA comments, we would emphasise that these do not confirm or assert that the current flood risk control proposals are Suds compliant or adequate. Further, the LLFA comments that the 'applicant has not provided a strategy to describe how exceedance events over a 1 in 100 year return period will be safely managed' and that management has not provided a maintenance plan which is all the more essential if underground storage mechanisms are to be integrated into the development. The LLFA has stated that a detailed design, maintenance and management strategy for a sustainable water drainage system needs to be approved, though its apparent satisfaction that an acceptable sustainable drainage system 'could be incorporated' on the site is all but meaningless in itself as a positive statement, though it clearly suggests more negatively, that that the current plans are inadequate as they stand: on both these counts, clearly, the council should reject the current application as not adequate to control actual flood risks.

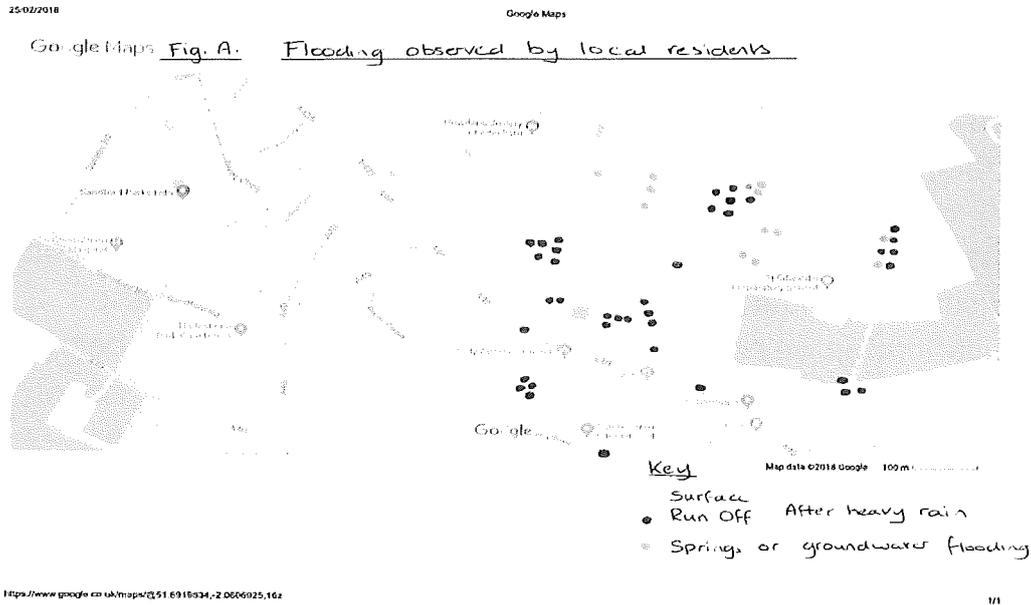
With this in mind, we would also remind the council that local knowledge and evidence of water and flood risk is an important resource for planning decisions, and in this case there is a huge wealth of reliable and uncontested evidence from residents and neighbours highlighting the serious flood risks on this site. Further, it is worth pointing out that CBC might consider taking legal advice on negligence risk, since other councils have been sued for building on known problem sites, comparable to this one, without adequately considering flood risks, and on the basis of insufficiently detailed and inadequate flood risk management plans. Failure properly to address this serious flood risk matter in the planning process could also breach Local Plan Policy CP4 which requires the Council to preserve a safe and sustainable living environment, and to ensure that development does cause unacceptable harm to the amenity of adjoining land users and the wider community. It is worth emphasising too that residents in the area are well aware of these issues and the precedents of litigation elsewhere.

Very importantly too, we would strongly support the very cogent comments, deeply informed by local knowledge, that are evident in letters on the portal. One particularly important and specific concern is that the flood consultation offers firstly no adequate basis for assessing and managing flood risk on the site, particularly downstream, nor secondly any persuasive account of where and how water will discharge from it. As one of the residents rather pithily puts it, one 'fail[s] to see how a very, very small pond and some attenuating crates will be adequate'. Further these cellular crates we consider to be inappropriate to this site, being notoriously difficult to manage. As it stands too, there is a lack of detail concerning these crates that makes it essential that the developer submits their proposals to address this matter for public scrutiny and review. In addition, there are many serious issues that need to be addressed and which residents demonstrate: the poor soil drainage, the history of flooding, sewer failures, other drainage problems, and subsidence on the site; the need for plausible compliance with SUDS practice; and the fact that the site is located just above a deep pit associated with the remains of the brickworks and subsequently filled with town rubbish, which raises serious environmental, as well as flooding, concerns.

Very importantly also, the application ignores the several powerful springs that rise in this area, and numerous residents can describe and locate these. As further testimony to issues of water management on the site we note that Charlton Manor has a 7000 gallon tank to cope with spring water and there are other examples in other properties that similarly demonstrate the significant and widespread water management problems associated with this site.

More generally, the comments strongly suggest (and sometimes explicitly voice) an imbalance in the planning situation that favours the developer. We hope very much that in this light you will also give proper measure to the level of knowledge, detail, and rigour that are displayed in the remarkable tabulation of the experiences of repeated flooding of over 30 separate neighbouring

residents. This material is given in the document attached to this letter (entitled Results Flood Table), and corresponding to this map:



Finally, the following appendix to this letter is a document sent to our group that addresses specific points of weakness in the local lead Flood Authority's Flood Risk Assessment.

Yours sincerely,

[Redacted signature]

Appendix

Impact of proposed development on flooding
Flood Risk Assessment & Preliminary Ground Investigation
Summary

The flood consultants assume that... "the risk of surface water flooding is low due to the steeply sloping site". In fact large swathes of the middle section of the site do not drain at all easily and a vast amount of water sits stored safely in the top soil over winter, drying out very gradually and preventing flooding issues down catchment. The consultants state that the site is in Flood Risk Zone 1. My concern, however, is with the wider impact on the area surrounding the site. The drastic changes to interception rates, top soil levels and permeability on this site will have far reaching effects as the site is at the watershed of a flashy catchment. The impact of the scheme on properties and land below the site seems to be hardly

considered. This is concerning as many areas lower down in Cheltenham ARE at very high risk of flooding. I have been in communication with CKFAG (Charlton Kings Flood Action Group) who share my concerns. From reading the report the consultants seem unaware of long standing existing issues with drainage on and around the site, possibly because much of the land is privately maintained. It is essential that more effort is made to discuss these issues with local people before a hasty decision based on sketchy evidence is made that will create a significant risk.

This risk assessment only seems to focus on the proposed site itself and not the on impact of the development on either the wider River Chelt catchment area or those properties directly downhill from the site. The consultant has clearly relied on a desk study and failed to speak to local people about their widespread knowledge of extensive, long standing drainage issues around the site. The proposal for 30 houses off Charlton Court Road was declined in the 1980's due to flood risk and yet that development was at a lower elevation and much smaller in scale. This new proposal seems foolhardy to be honest.

Evidence to support these points

1. A group of neighbours are undertaking a survey of residents of Charlton Kings to provide evidence of the extent, frequency and severity of flooding problems around the site. Evidence to follow asap.
2. I would request that councillors speak with local people urgently as this is an issue of immense concern
3. My neighbour is collating photographic evidence of existing and potential issues with drainage.
4. I have attached written evidence of flooding problems associated with a neighbouring property which gives an idea of the immense flooding risks associated with construction on this site.
5. I would like to urgently know how long we have to compile this evidence as the application has been submitted when many people are away on summer holiday??
6. Maps A,B and C & Written evidence of flooding effect on 25 Oakhurst

Existing conditions on site surface in a normal winter

The developers have shown a reckless disregard for the sensitivity of the site in terms of flood risk to the wider area. In a normally wet winter the top soil layer on the site is saturated for months and very swampy as the clay sub soil is impermeable. I have informally walked my children to and from the Prep School daily over the site for more than a decade and can assure you that the conditions in Feb 2017 when bore holes were dug and monitored were far from typical, you are normally ankle deep in water at that time of year. All surveys were done after an exceptionally dry period so this renders the result unrepresentative. The extent of problems with the site have simply not been recognised and I would suggest planners speak to residents and the groundsman at the Prep School to get a more accurate picture.

Surface run off from site

Impact to South Western corner (culvert)

The council must be aware of extreme public sensitivities due to the terrible flood issues along the brook to Charlton Court Road and Oak Avenue in 2007. The council has paid for remedial measures that were taken to create a deep retention pond just

before the culvert in the SW corner of the Prep. The culvert acted as a blockage to the system that summer. Considering this history has the developer examined whether the culvert has capacity to cope with increased run off from the proposed development? I am unconvinced that the developers have considered whether their inadequate remedial measures will withstand the loss of at least 18,000 sq m of trees and vegetation, and the loss of much of the absorbent, water retaining top soil layer. In addition, I am unconvinced the often mentioned "permeable surfaces" will be particularly effective due to the inevitably limited depth of top soil post construction and the impermeable sub soil (see later).

The attenuation crates would need to be vast, displacing huge amounts more clay; hardly sustainable development. The tank(s) are calculated at 768 m sq which seems inadequate considering the definite loss of 18,000 m sq of permeability and the questionable permeability of the remaining area. We are talking about approx. 40,000 m sq of surface area partly or entirely at risk in addition to the depth of water stored within the topsoil layer. We need much more research done here. I must insist that much, much more thorough investigation of impact is done. I fail to see how a very, very small pond and some attenuating crates will be adequate. What will happen in the event of C635 exceedance? I am alarmed by how little the consultants appear to know about the existing site. Please see reference below to our very vigorous springs and groundwater issues. The site can become very, very wet, causing localised flooding of roads, cellars and gardens that goes on for several days. If all this water is placed in drains under Charlton Court Road does the system have capacity? Where do the drains discharge and what of the impact at this point? I assume Cox's Meadow. The consultants make no mention of this. What will the impact of losing at least 18,000 sq m of permeable surface on the entire catchment actually be? Has modelling of the impact of exceedance on the town centre been done?

Existing drainage to South and to the West

There are issues with surface run off already, contrary to the consultant's report

Even with the site completely undeveloped and with 100% permeable surfaces, thick top soil, trees, grass etc. residents of Oakhurst Rise and the Prep School have still had historical problems with surface run off. A large drainage ditch had to be dug in the 1980's on the western boundary of the site bordering Oakhurst Rise to divert water that was flooding down into the gardens of No. 18 south to No. 6. On the Prep site extensive ditches to the West boundary exist for similar reasons. These ditches dispose of surface water directly into the brook adjacent to Sixways Surgery where the culvert has been such a notorious pinch point. The flood problem was kicked down the road.

Will the post 2007 retention pond withstand the pressure of construction run off?? Of immense concern is the possibility that developers may choose to discharge run off from the exposed clay during construction into these existing drainage ditches. This must not be permitted as the clay will simply silt up retention ponds and block the culvert. The ditches must not be permitted to overflow through a primary school for clear Health and Safety reasons.

Impact of Spring lines?

Consultants seem unaware of these

The report shows no knowledge of an extensive network of abnormal springs which emerge at a consistent elevation in gardens on the Battledown Estate, in our garden and across the Prep School site. See Maps A and B. To be fair this may be because the Prep and Battledown are privately managed. The springs emerge following a wet winter. Water flowing from these springs can routinely overwhelm drains causing flooding and requiring homeowners and contractors to clear them. The springs last emerged winter 2012/13.

An old reservoir built to store spring water or possibly prevent flooding is buried in our garden. It is clearly marked on the 1880 map of the site, Map C. Remnants of the brick built reservoir tank were discovered when we had landscaping work done. This is evidence of an historical spring which continues to emerge today. The map also shows extensive drainage channels to the West of the site highlighting how much water flows to the South and West.

Groundwater flooding/springs

The consultants consider that “the risk from groundwater flooding is low”. This is incorrect

Older properties in the vicinity such as Charlton and Ashley Manor have cellar flooding from groundwater almost every year and they have had to install pumps. We had to pump water away from our house in 2012/13 as water poured out of the hillside for days, flooding under our foundations. We have had to install an extensive network of French drains to the rear of the property which we hope will cope with the flow in the next wet season. Our property is very low lying and sunk into the hillside at the rear so we are very vulnerable to this problem. I am sure many other pieces of evidence will emerge from other residents that we will collate.

Sewer Failures

Local sewer failures are notorious. Residents on Churchill Road (No 20) need to rod their sewer at least annually. Not all instances are reported as residents tend to deal with emergencies themselves. Several serious sewer collapses have been reported in Sydenham Rd area as the pipes age. What assurances do we have that the antiquated system is able to cope with a much higher flow?

Concerns re subsidence, safety and conditions on site – Ground Investigation

Report

The presence of large trees, clay soils and steep gradients on Oakhurst Rise have led to collapsed drains and subsidence problems resulting in collapsed driveways and damage to some garages. At 29 we have experienced collapsed drains and our garage was demolished due to subsidence. One property on the Rise has needed to be underpinned twice. A number of properties have been recently extended and they have ALL used pile foundations. I am shocked to see the ground investigators recommend that the developer considers using cheaper conventional foundations. This seems to be shoddy in the extreme and may well impact on the stability of the land above 18 and 29 especially when you consider the weight and vibration of machinery, presence of a spring line and risk of slippage. How can we trust a developer who considers cutting corners so recklessly?

Having dug out our rear garden to extend we can testify how soft the clay is after rain, how entirely impermeable it is and how the site will be one huge quagmire when the top soil is removed. Neighbours will testify to the mess as the work was

done over a very wet period. We anticipate extensive rainwater runoff downhill from the construction site and into our gardens and properties unless extreme measures are planned for. We also anticipate road safety concerns with mud and lorries on the steep road. The proposed access road is in very poor condition already.

Flooding from artificial sources

When the top soil is removed to reach construction levels water will have nowhere to go.

Number 25 have written evidence (attached) of devastating flooding originating from a temporary retention pond failing when just 3 houses were constructed above our NE boundary. What assurances can residents have that a much, much larger volume of water will be retained safely?

Infiltration & SUDS

The site sub soil has "Low-nil permeability" I agree. Majority of SUDS (measures to increase infiltration) "unlikely to be feasible" agreed.

The water cannot infiltrate the clay sub soil. As the depth of top soil will be reduced and the sub soil is impermeable the benefit of the much advertised "Permeable driveways and surfaces" will be compromised. The 768 m sq . "Attenuation Crates" and tiny "pond" seem totally inadequate considering that the developers know nothing of the scale of the existing problems even with currently optimum interception and infiltration conditions. One study over a dry period is wholly inadequate. "Water Butts"?? Is this all the developer can suggest? I understand the developer has to follow the SUD manual CIRIA C753 to the letter. I feel dubious. None of this seems at all comprehensive, even to a complete layman.

Totally unconvinced that the developer has any idea what the real issues are here.

To conclude this section.

- **Risk Assessment is ill informed. Disappointingly thin information on the current risks around the site.**
- **Council may have limited information of scale of issues as much of the area is privately owned and maintained (Battledown and Prep)**
- **Vague information on what will actually be done with excess water, during construction and long term. Very dubious about limitations of SUDS and other remedial measures.**
- **Impact on Oakhurst Rise due to history of problems is an issue.**
- **Awaiting evidence from survey of local residents**
- **Using existing ditches will create an unacceptable flood risk to the brook to the SW, Oak Avenue etc. Additional Health and Safety risk to Prep School pupils. Any silting up of the culvert could be disastrous.**
- **A repetition of 2007 could easily happen without extreme caution at this stage. The Flood Risk Assessment does not show due diligence.**
- **This site is a very sensitive part of the catchment and needs to be treated with more respect**
- **It seems strange that the nearby brownfield Tim Fry site which is entirely paved and built upon (ie. with minimal flood impact) was rejected if this site is considered ideal for development.**

Flood Evidence for area downhill from proposed housing Application Ref: 17/00710

Address	Location of flooding	Frequency	Description (Quoted from respondent)	Probable cause of flooding	Measures in place to protect property	Evidence available
GL52 6RH P.Northup	Our 'Cellar' properly converted basement rooms	X2 in 2007	In sustained heavy rainfall, Haywards Road and its gulleys struggle to cope to get the rain away.	Flash flood from rain Existing infrastructure (even with the Cox's Meadow Flood Relief Scheme) seems to barely cope.	Sump pump Non-return valve on the main drain exiting the house	Yes Statement from insurer
GL52 6JF Coronation Flats	Lobby, Interior of flat, Bathroom, Bedroom	June 2016	The flooding risk in this area is already unacceptably high. Beaufort Road becomes a river, which pours straight down to Coronation Flats at the junction of Oak Avenue and Charlton Court Road. Last June, during a storm of fairly average strength, Coronation Flats flooded, filling the lobby with water and turning the gardens into rivers. Water breached our (new) bathroom and my son's bedroom.	Storm run-off from road when drains overwhelmed The council, when contacted, admitted that the 'drains could not cope' with heavy rain		Evidence from Planning Portal
1 Haywards Road GL52 6RQ	Garden	Once	the houses across the road with cellars have been flooded numerous times	Flash flooding of river or brook due to heavy rain	Additional drainage pipes or french drains	No
GL52 6JU	Road		Flooding at junction of Charlton Court Road and Beaufort Road			
GL52 6RH	Garden	X2 2007	The area at the junction of Churchill	Probably multiple	Non-return valve fitted by Severn	Yes

	Cellar Interior house		Gardens and Haywards Road flood when there is heavy rain. Also, the drains on the London Road are unable to cope with heavy rain and overflow close to Holy Apostles Church creating a torrent of water that flows down the London Road towards town past the entrance to Haywards Road. Probable cause	issues, but these include inappropriate management of new storm drains, blocked drains and sewers, surface run off from road and flash flooding of a brook.	Trent. Have fitted own sump pumps	Photographs Available
GL52 6ns Charlton manor	Garden Cellar	Annually	Ashley road; surface run off after any heavy rain, or when the water table is saturated	Flooding from seasonal spring emerging And surface run off	Additional drainage pipes or french drains Soak away Underground water store	Personal testimony
GL52 6NS Castle Farm Ashley Road	Garage Interior of house	X2 2007		Torrential rain	After two floods Severn Trent fitted a non return valve on the septic system	
28 GL52 6JU	Garden	Once Late 80's	Flooding downhill off field and into garden	Run off from the top field when the St Edwards school contractors dumped large amount of soil on the '100 house' field.		Personal testimony

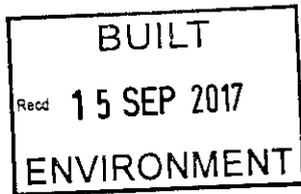
5 GL52 6JU	Garden Garage			In July 2007 our garage and part of our back garden was flooded by water pouring down the drive from the drives on the upper side of Oakhurst Rise. The water flooded the garage until the height of the side door step was reached then it continued down our garden in to the garden of a house in Pine Close.	Torrential rain Surface run off from road		Personal testimony
GL52 6NS	Interior of house	X2		Flooding from seasonal spring emerging Other (please specify): movement of aquifers as water table shifts in the bordering escarpment		Additional drainage pipes or french drains Other (please specify): Tanking	Personal testimony
22 GL52 6JB	Garden Garage Pavement Road	X1		1981:V heavy rains water flowing down the field threatening houses. Carmelites and neighbours dug trench at night to avoid gardens/houses being flooded. Field so wet that could not be mown for school use : a late hay crop was harvested on this lower field. Last year water came under the fence of no. 22 whereupon I dug another trench on the field to divert water towards the stream.	Run off from St Eds field	Drainage ditches Dug on the lower school field	Personal testimony
23 GL52 6JB	Garden Garage Pavement Road	X3		In recent years any heavy rains have caused storm water to flow thro' no. 23 garage (later sealed) and through 23 garden onto the cul de sac	Run off from St Eds field	Drainage ditches Dug on the lower school field	Personal Testimony Testimony of named Carmelite
GL52 6JS	Interior of house	X1 2007		Kitchen and garden were flooded by a few inches. Didn't make a claim on insurance though due to premiums going up so sorted	Run off down hill after heavy rain		

				<p>out the issue myself. Live in the middle of Beaufort Road (so on a hill!) so was very surprised to be flooded.</p> <p>During any heavy rain the water comes rushing down Beaufort Road and gathers at the bottom.</p>			
<p>19 GL52 6JG</p>	<p>Garden Garage Interior house</p>	<p>X2 2007</p>	<p>Collapsed drain or sewer Cause was collapsed culvert in Oak Ave/Churchill Drive and huge volume of rain which overwhelmed the brook under our gardens</p>	<p>At junction of Oak Avenue and Churchill Drive - due to permanently block road drains</p>	<p>None to our houses but the Local Authority have repaired the underground culvert under park in Oak Av/Churchill Drive Q7</p>	<p>Photographs</p>	
<p>GL52 6RQ</p>	<p>Garden</p>	<p>X4 2007, 2009, 2011, 2014</p>	<p>we moved from 34 to 23 haywards rd which flooded the garden regularly whenever it rained. The 2007 July rain caused floods into the properties which was driven by cars moving along haywards road from non-residents. We tried to stop people from driving down as flooding was pouring into the basements on even side.</p>	<p>Surface run off from road the ground is high in clay and therefore does not absorb water – Also seasonal spring possible with water table.</p>	<p>Personal testimony</p>		
<p>Available on request</p>	<p>Interior of house</p>	<p>x2 2007</p>		<p>Flash flooding of river or brook due to heavy rain</p>	<p>Flood barriers and gates</p>	<p>Contact details available</p>	
<p>Little Orchard GL53 8ES</p>	<p>Garden Shed</p>	<p>x20</p>	<p>Really devastating was in July 07 but flash flooding is a fairly regular occurrence and for example, was pretty bad in June of last</p>	<p>Flash flooding of river or brook due</p>	<p>River banks raised by the Environment</p>	<p>Photographs</p>	

			year - 2016.	to heavy rain	Agency	A series of CD's with videos of the flash flooding and damage
8 GL52 6JU	Garden Garage Side entrance	1981 x1 2007	Ground water flooding after a wet winter Run off from fields	Run off from St Edwards field		
25 GL52 6JU	Garage	Several times	Flooding from seasonal spring emerging Water table too high	Spring High water table Run off from construction site	Sump pump Eventually after many years fitted an electric pump with a float to drain the garage pit which is 8ft x 3ft x 3.5ft deep. Now filled in with concrete and rubble	Water problems caused by 3 house development – uphill Submitted as part of No. 29 Objection
14 GL52 6JU	Garden	Dec 2015		Volume of ground/surface water due to heavy rain		
QE II Playing Fields	Every winter		Field becomes completely waterlogged in numerous places for much of winter. 2 ponds emerge all winter			Well known by dog walkers
Top fields of St Edward's Prep	Every winter		Fields have standing water, inches deep as water table rises and top soil saturated		Drainage ditches dug water channeled south to brook	Personal testimony
Scout field St Edwards Prep	1980		Run off from field caused problems for neighbours on Chariton Court and Oakhurst		Drainage ditches dug water to brook	

St Edwards Prep	2007			Culvert at foot of grounds blocked and flooding of several properties ensued				Council deepened retention pond	
Ashley Road near Home Court Farm	1980's			Serious flooding of road due to run off and overflow of brook. Large retention pond built near running track				Council built large retention pond	
St Edwards Ashley Manor	Cellar Scout field Road	1 winter in 3		Rise in ground water Run off from fields at top Collapsed drains from tree roots Pillows of water under scout field due to volume of water Water pours out of springs and down road into brook when drains overwhelmed			Cellar pump installed		
27 GL52 6JU	Garden	2013		-			Run off from road		
18 GL52 6JU	Garden	Annual					Run off from field High water table		
29 GL52 6JU	Garden	Every 3 winters or so 2007 2006		Flooding from seasonal spring Water pours out hillside for many days when it rises Collapsed drain in garden			Heavy rain Spring Collapsed drain Springs	French drains Had to pump water away in 2012 to prevent entering house	Personal testimony
Baedaias Tun	Garden								
Briggs Meadow GL52 6PJ	Garden Under house	2007		Springs rose after heavy rain					
GL52 6JU	Garden	x1		Water ran off fields raised above property			Run off from St		

Battledown Estate Ashley Road At Barrier	Garage Roads and ditches	1 winter in 3	Water pours out of springs and down road and drainage ditches	Edwards field		Well known by locals
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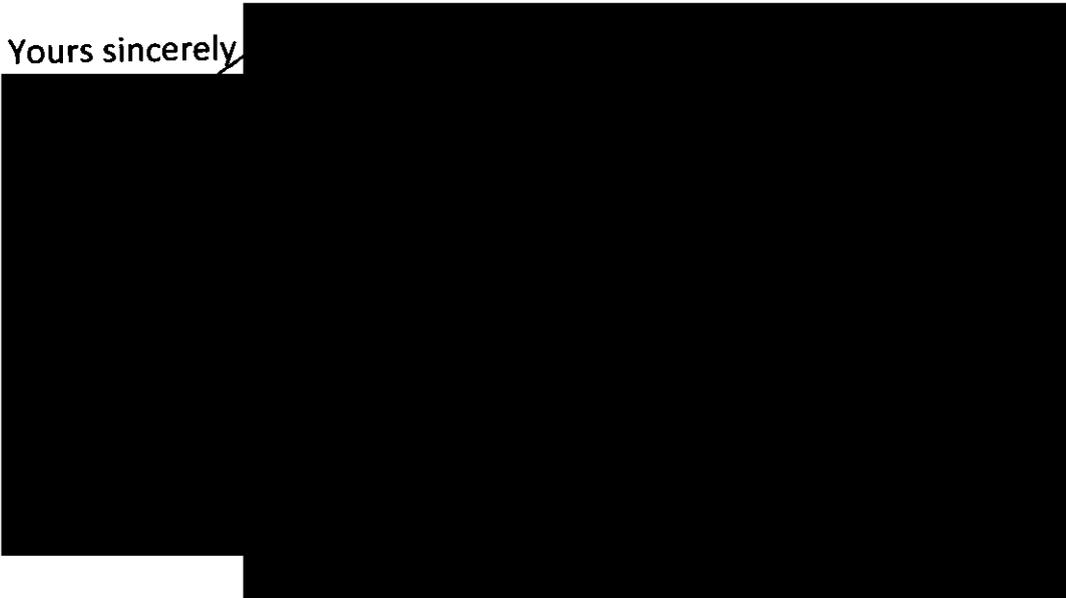
12 Malvern St
Cheltenham
GL51 9DG
12th September 2017

Dear Ms Payne

Objection to proposal 17/00710

I do not wish to see this housing estate built on such a valuable green field site. One of my main concerns is flood risk as the whole area downstream of the site has suffered from severe flooding over the years. To cover porous surfaces with concrete in this vulnerable location seems foolhardy to say the least.

Yours sincerely,





1 High Bank
Shipton Puffe
Cheltenham
Glos GL54 4JF

12th September 2017

Dear Ms Crews

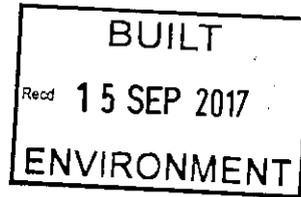
17/00710/OUT – Objection

This land is clearly important to Cheltenham. It is ecologically diverse, it regulates the flow of water into the River Chelt and it provides a challenging sporting facility to children in the town.

The land must not be built over when there are brownfield sites available near by.

Yours sincerely

A large black rectangular redaction box covering the signature area.



126 Ryewater Rd.
Chariton Kings
Cheltenham
GL52 6LY
10th September 2017

Dear Miss Payne

Planning Application Reference : 17/00710/OUT

I would like to see this proposal rejected. My main reasons for this are on the grounds of flood risk and increased traffic.

The council has spent a fortune on schemes at Cox's Meadow, Sixways Brook and at the play area on Oak Avenue. They did this after the disastrous flooding in 2007. It seems absolutely crazy to put all this expense, I assume many millions of pounds, in jeopardy by building on green fields at the top of the catchment. Areas that I know flooded were Oak Avenue and houses next to Lilley Brook and along Cox's Meadow. Please be very careful before you allow development of this site. There is a reason why it has never been developed.

I am also extremely concerned about the impact of hundreds more cars on the congested side roads and London Road and Hayles Road. Haywards Road in particular is already very busy with commuters avoiding the lights on the main road at rush hour. I look forward to seeing this proposal turned down in the strongest possible terms. The roads on Ewens Farm are totally unsuited to the current level of traffic and will not cope with hundreds more cars.

I trust that you will do the right thing.

Yours sincerely





Flat 1,
67 Shurdington Road
Cheltenham
GL530JG

12th September 2017

Dear Ms Payne

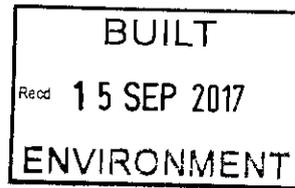
Planning Proposal 17/00710

I do not wish to see housing built on a site which is a habitat for so many different species of bat including the rare lesser horseshoe. I also do not wish to see ancient oak trees threatened and the loss of the valued amenity of the County level cross country course.

Yours sincerely

A solid black rectangular box redacting the signature.

A solid black rectangular box redacting the address.



5 School Mead,
Cheltenham
GL51 8AD.

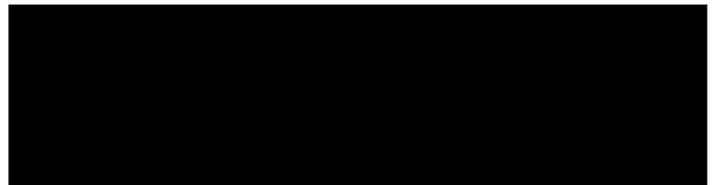
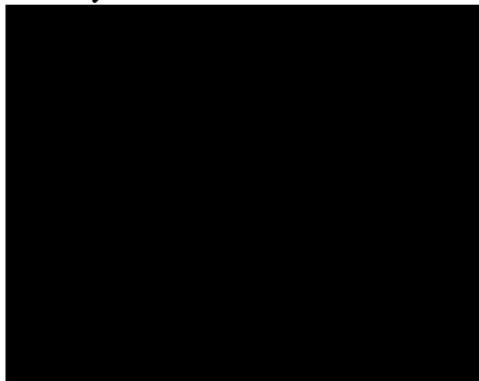
12th September 2017

Dear Ms Payne

Proposal 17/00710

I must object to this scheme as the amount of traffic currently clogging the roads in Charlton Kings is already unacceptable. I am also concerned about the loss of habitat for endangered species and flood risk.

Yours sincerely



BUILT
Recd 15 SEP 2017
ENVIRONMENT

6 Deep Street
Prestbury
Cheltenham
GL52 3AN

11th September 2017

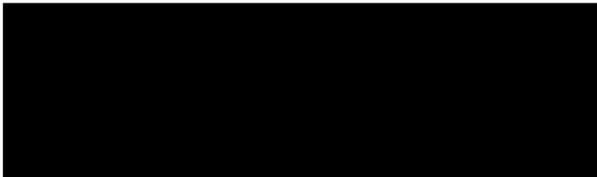
Dear Ms Crews

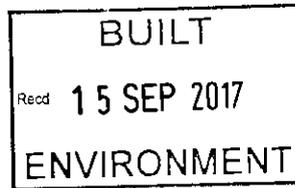
St Edwards Planning Application 17/00710/OUT – Objection

Having learned more about the trees and wildlife present on this site I am absolutely shocked that it has no legislative protection and that it could be lost forever. The fact that there are 7 species of bat on site including the Lesser Horseshoe as well as snakes, hedgehogs and sparrowhawks must mean that it deserves more ecological investigation and urgent protection before it is too late. The oak trees alone are of huge importance to Cheltenham and I understand that many will be lost.

Another huge problem is the flood risk involved with putting hard surfaces on this porous site. I would have hoped that the council has learned from the horrors of 2007 and that it approaches flood risk in a more responsible way.

I trust that this scheme will be rejected.





15 Battledown Close
Cheltenham
GL52 6RD

11th September 2017

Dear Ms Crews

Your Ref Planning Application 17/00710/OUT

I have looked at a number of the comments on this portal that raise very important points about the above proposal. I agree with the majority of objectors who feel that the new housing will create serious problems with traffic and flooding. Charlton Kings already suffers from the effects of too much traffic on narrow roads. The flood risk situation is also well known and will be exacerbated by paving over a 10 acre site. I must , therefore, express my objection to this proposal.

Thank you for your time





14 Chatsworth Drive,
Leckhampton,
Cheltenham.
GL53 0AG.

12th September 2017

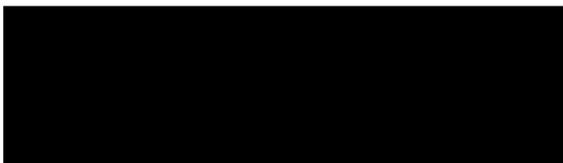
Dear Ms Crews

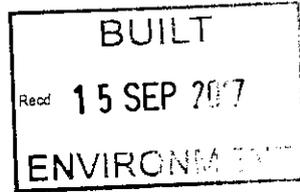
Planning Application 17/00710/OUT – Objection

As a resident of West Cheltenham who struggles through the traffic every week day I would urge the council to reject this proposal. The village of Charlton Kings is already very congested, especially around the schools. More housing will only make this situation worse.

I also feel that it is reckless to do anything to interfere with drainage at the top of the catchment feeding the Chelt. Everyone knows that Cheltenham is prone to flash flooding, let's not make a bad situation worse please.

Please reject this scheme.





1 High bank
Shipton Oliffe
Gloucestershire
GL54 4JE

11th September 2017

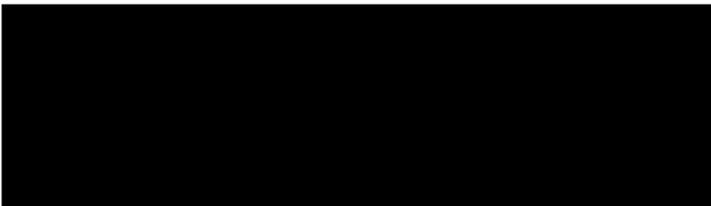
Dear Ms Crews

OBJECTION: St Edwards Planning Application 17/00710/OUT

The above site has great value to the local community. It frequently hosts a large and very challenging cross country course that is available to children across the county. There are no other courses quite like it in the County and it will be a tremendous loss to the town if this proposal is approved.

I also object on the grounds of increased traffic, flood risk and damage to a special environment that is also unique within the built-up area of Cheltenham. There must be other sites where the impact of development will be less drastic. The council will be going against its own guidelines if it allows this private green space to be lost.

Thank you for your time.





11 Farningdon Road
Hatherley Cheltenham
GL51 6WZ

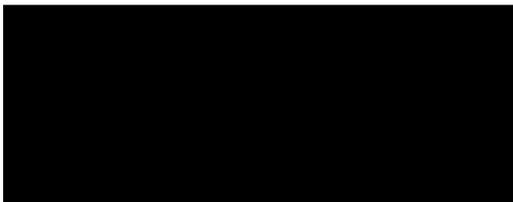
11th September 2017

Dear Ms Crews

St Edwards Planning Application 17/00710/OUT - Object

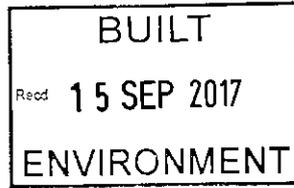
I am familiar with St Edwards Prep as I have spectated at a number of cross country events on the site. It would be a tragedy for the town to lose this iconic sporting facility. The school itself is a hidden gem within Cheltenham's urban landscape. A major feature of the site is the Grade II listed Ashley Manor. The manor is set in a beautiful backdrop of 300 year old oak trees and meadow. The environment around this building is an essential part of its amenity and character. The estate land has existed since medieval times as can be seen from the ridge and furrow field to the South West. It will be most short sighted to put a modern housing estate in such a prominent position.

The impact of 100 houses and the subsequent traffic around an already congested Sixways will be severe. In addition I am well aware that the hill acts as a huge water store allowing the catchment to drain gradually, these field regulate the flow of water into the brooks and the Chelt preventing flash flooding. Remove this store of water and it is inevitable that South East Cheltenham will suffer from more floods.



8 Chase Ave
Charlton Kings
Cheltenham.
Glos.
GL52 6YU.

Page 542



10th September 2017

Dear Miss Payne

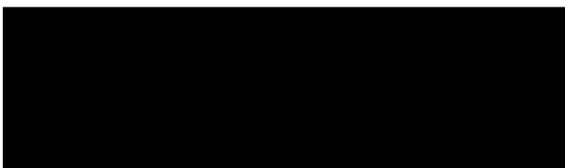
Your Reference : 17/00710/OUT

I hope that you will reject this proposal. I object to the scheme because of the increase in number of cars it will create. 100 houses will create double the number of cars in our society. The roads are already clogged with traffic for much of the day. It is a struggle to get out of the Ewens Farm estate onto London or Hayles Road already. Many children walk to the local schools which we should all encourage. If there are hundreds more cars the local roads will become so dangerous that no-one will allow their children to walk. There is just one pedestrian crossing on London Road (Sixways) before you get very near to town. This makes it a very unsafe environment for children. I am also very concerned about the air quality along London Road at present and this scheme will only make a bad situation worse.

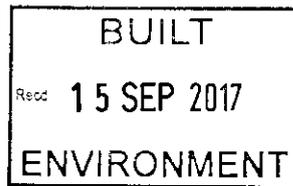
To add to my concern the plan is to build over green fields which I understand host some very old oak trees and many endangered animals. I cannot believe that this site is being considered when the Tim Fry proposal, a brownfield site that was much more suitable in terms of access and flood risk was dismissed.

Thank you for considering my concerns

Yours sincerely



20 CHURCHILL DRIVE
CHELTENHAM
GL52 6SS



10th September 2017

Dear Miss Payne

Planning Application 17/00710/OUT

I object to this proposal in the strongest possible terms. The plan is to build over green fields and this will just serve to increase the flood risk downstream towards local brooks and into the River Chelt. I am not at all satisfied with the measures that the developer proposes to mitigate flood risk. Local people are very aware of the amount of water that currently gushes out of the fields after a wet winter. Many people have experiences flooding from run off or groundwater or from springs that emerge. In 2007 run off from the site blocked the culvert in the South West of the Prep School and this led to severe flooding of Oak Avenue in particular.

This is my main concern but I am also dissatisfied with the measures that the developer proposes to provide a new sett for the badgers. Moving the sett south will lead to undermining and possible subsidence of surrounding buildings. Tunnelling and TB could be a hazard for children who will be playing right next to it. The site is also an unusually undisturbed habitat as is home to reptiles, newts, rare birds like the Lesser Spotted Woodpecker, hedgehogs and bats. I fail to see how this housing estate will improve the ecological value of the area. It will destroy it.

The cutting down of large trees will also lead to heave and I would like to know what is proposed to protect the houses surrounding the site from this problem.

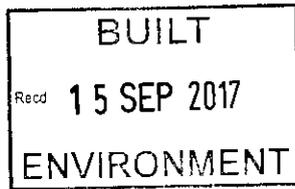
Finally the access to the site is very problematic. Oak Avenue in particular is two way in places and very narrow with obstructions from parked cars, there is little opportunity for off road parking here. There is an extremely dangerous blind bend at the East end of the road. An obscured junction on the Tim Fry estate is also very dangerous. The parked cars and the fact that the Ewans Farm estate is a commuter rat run make this proposal for up to 200 extra cars at rush hour, not 48 cars an hour, quite ridiculous.

I look forward to seeing this proposal turned down in the strongest possible terms.

Yours sincerely



11 APPLETON WAY
HUCKLECOTE
GLOS
GL3 3RP



12th September 2017

Dear Ms Payne

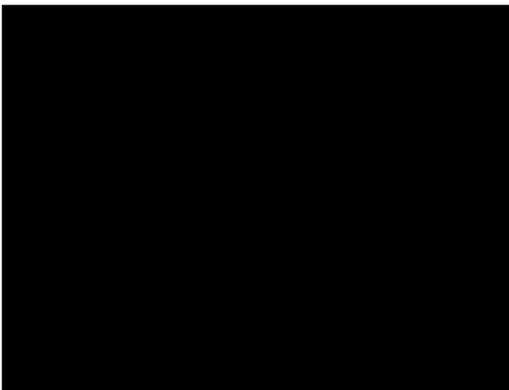
Objection to proposal 17/00710

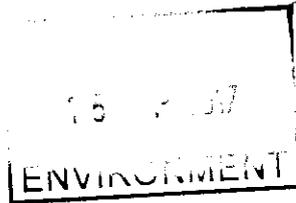
I would like to object to this proposal on the grounds that it will send a very negative message to Cheltonians about the Council's commitment to children's sport.

The well-established cross country course is very unusual compared to others in the area as it is very steep and very rural in character. Running around a flat playing field is the norm and competitors always remember the St Edward's course as a significant childhood event.

It would be a significant loss to the town to lose this amenity and I trust that planners will do everything in their power to protect it.

Yours sincerely



12th September 2017

Dear Ms Payne

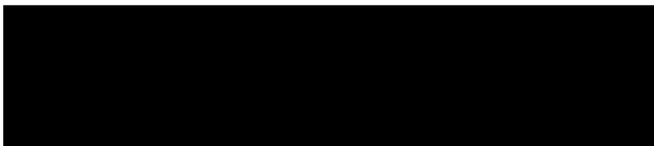
Objection to proposal 17/00710

I would like to object to this proposal to build 100 houses on a green field site in Charlton Kings. I understand that the Cheltenham Local Plan stipulates that brownfield sites should be chosen for development ahead of greenfield sites so it would seem strange that the Tim Fry proposal was turned down quite recently when this nearby greenfield is now under threat.

I would also query the suitability of this site due to its inaccessibility to traffic. I believe that the Tim Fry proposal was turned down due to traffic impact so it would, therefore, be a contradiction to allow development on Oakhurst rise.

If flood risk is added to the equation it would seem that this location is entirely unsuitable for any kind of development and that it should be left well alone.

Yours sincerely



BUILT
Recd 15 SEP 2017
ENVIRONMENT

78 Jacobs Piece
Farford

GLOS GL7 4FJ .

9th September 2017

Dear Miss Payne

St Edward's Planning proposal : 17/00710/OUT

I do not live in Charlton Kings but my children attend a local school and I am very concerned that this scheme will be very destructive. In particular I am very concerned about how school spaces for the children from these new houses will be found. All the local schools are full. Whilst this is not considered in the planning process I feel it really should be.

My other main concerns are traffic and damage to wildlife.

All the roads in Charlton kings are clogged up during the school run and the roads around Charlton Kings Junior and Balcarras are quite simply ridiculous at pick up and drop off and are very dangerous for children on foot and on bikes. The Council says it is trying to encourage walking and cycling but with the roads so hazardous parents will continue to drive children in. More houses means more children and more cars making the situation worse which means less walking. I understand that the proposed site is marooned in the centre of a convoluted and very narrow and steep one way system. As the site is located up a steep hill it is unlikely that many people will walk to and from the local facilities. There will be a significant increase in cars at rush hour, more than the 48 cars an hour quoted by the developers.

I know families that attend St Edward's and they tell me that the site is full of ancient oak trees and rare wildlife. In particular bats and badgers. How can these valuable resources be threatened? I also understand that the Cross Country course which is infamous for its level of challenge and its beauty will be destroyed. This seems so wrong when children are becoming obese.

I hope that you reject this destructive scheme in totality.

Yours sincerely



11 OAKHURST RISE
 CHARLTON KINGS
 CHELTENHAM
 GL52 6JU



9th September 2017

Dear Miss Payne

Your Ref Planning Application 17/00710/OUT

I object the above as it clearly goes against all guidelines to exhaust brownfield options before building on greenfields. This development is unnecessary, there are plenty of brownfield sites such as Tim Fry Landrover that can be developed and they should be developed first. If you are going to allow further development on this side of Cheltenham improvements to the road to Oxford and a ringroad around the town to Gloucester/Tewkesbury is essential.

The proposed development site is clay, with steep slopes. The main two access roads towards/from the site are Ewens Road and Beaufort Road. Residents in the area face the prospect of 100 or more extra cars per day coming down Beaufort Road. This is a narrow road with necessary parking on the Eastern side and is also used by buses and, at times, as a short cut by vehicles around rush hour. The Ewens Farm estate is a purely residential road with good air quality, which will become more heavily used. All the roads on the estate are narrow with necessary parking, there are a huge number of families living on the estate and the increased traffic will substantially increase the related health and safety risks, especially with regards children. Who regularly walk to school and also use the small park at the junction with Oak Avenue and Churchill Drive.

Many objections show there are natural springs in the area and complex drainage systems. The ground investigation report identifies that the site doesn't drain so complex drainage solutions will need to be found and I am not convinced by the report that the developers know what they are dealing with here. Building here will lead to flooding on the lower sections of the proposed site and definitely to lower lying properties. A comprehensive comment from 29 Oakhurst Rise, details underground springs in the area and list them on a map. I can confirm that a neighbouring property on Battledown has an underground spring which appears in their basement, requiring constant pumping.

There have always been significant issues with surface run off and groundwater flooding around the site. The consultant makes no mention of this in the report. The clay sub soil is impermeable. The top soil in this critical elevated site on the watershed holds water like a sponge all winter protecting the catchment of the River Chet from flash flooding. Covering large swathes of this 10 acre site in impermeable material will have a huge impact on the drainage system. I believe a full and proper impact study needs to be done investigating the impact of the scheme on the Chelt through Cox's Meadow onto Bath Road and Neptune's fountain. Some proper flood modelling is called for. Even with all the modelling done for the Cox's meadow flood barrier, the first time this barrier was put to the test, it failed, with large scale flooding of properties down-stream from the barrier. As residents we expect the council to do their duty and safeguard us from speculative applications like this that place individuals at unacceptable levels of risk in terms of flooding and road safety.

Sincerely



51 Beeches Road
Charlton Kings
Cheltenham
GL51 9LJ

10th September 2017

Dear Miss Payne

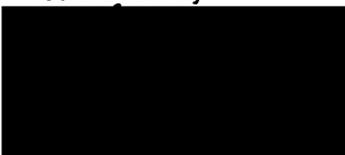
Planning Application 17/00710/OUT

We wish to register our formal objection to the above planning application for up to 100 dwellings on the following grounds:

- 1) The location identified within this outline application is a significant and attractive part of Charlton Kings and as a hillside site is visible from numerous areas of Cheltenham. Greenfield locations such as this within Cheltenham not only enhance the quality of life for nearby residents but those who live and work in the Borough. Importantly, the site is bordered by a neighbouring primary school who use this valuable open space to educate children as to the importance of protecting the natural environment. This is also a notable civic amenity. It is used throughout the Winter by numerous primary and secondary schools not only from Cheltenham but beyond as part of school cross country competitions. I recall using the space on numerous occasions over 40 years ago and importantly it is still used today in this way. It would be shameful to lose this valuable green open space that has been enjoyed by generations and should continue to be used by our own children now and in the future. To undertake any form of development in this location significantly impacts on the loss of local character for the reasons that are also outlined above. I am also sighted on the fact that there are listed buildings nearby where it is clearly desirable to maintain both their visual setting that enhances the architectural importance in Cheltenham. This should not be invaded by any unwelcome development at this location and as outlined within this planning proposal.
2. I understand from some local research that the fields may have been part of the Charlton Estate from as early as the 11th Century. Some parts of this estate were owned by King Edward I. From an 18th Century map available in the archives you can see that trees and hedgerows have existed on the site for many hundreds of years. There is also an ice house on the site that is listed and the archaeologist who visited recently feels it may be a Neolithic tump. Please let's not bury our heritage in obscure corners of private housing estates. The Battledown ruins are a classic example of this, hidden and forgotten.
3. The report proposes that surface water could be removed from the site using an outfall connection into the existing sewer to the southwest of the site located in Charlton Court Road. Given that the drains in this area already struggle to cope with surface water and overflow flooding - as evidenced by the major flooding in 2007 and persistent surface water pooling during heavy downpours, this proposal is completely inappropriate and puts houses in the above named streets at even great risk of flooding. Should this proposal be accepted, the developers must be made to take out additional insurance or provide guarantees against flooding in the potentially affected areas
4. Regarding ecological value. The developers' environmental consultant claims that the majority of the site is "poor semi improved grassland" which is "regularly mown". They claim it is "short grassland" that is of "low conservation significance". I contest this. The developers study was done at the wrong time of year. A second expert opinion has been received that states that the site is actually species rich grassland which requires a detailed grass species survey, ideally done May-July. I understand the developers' survey was done in early September soon after the farmer cut the grass as he does annually. Like most wildflower meadows the grass is cut once a year, this does not constitute regular mowing or cultivation.

I trust that the council will do everything in its power to protect this valuable site.

Yours sincerely



10th September 2017

Dear Miss Payne

Planning Ref 17/00710/OUT – St Edward's School

Neil Parish M.P., the chairman of the environment select committee, recently told ministers that a drive to build a million more homes by the end of the decade risks "killing any sense of goodwill" in local communities if the new buildings are inappropriate. Mr Parish, a former council planning officer, will suggest that parish councils and neighbourhood forums are given funding to draw up binding "design codes" based on input from residents to ensure new developments reflect their views. "If we fill our towns and cities with housing people feel is totally inappropriate for their area, we will kill any sense of goodwill."

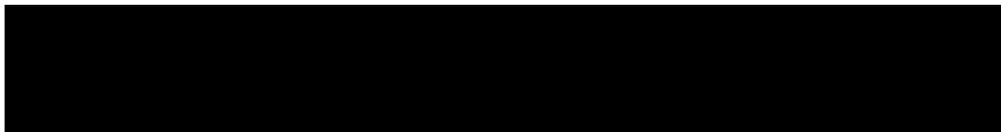
It would appear that the proposed development is exactly one such development that Mr Parish is referring to. The sense of unease about this inappropriate plan and the attitude that the developers have shown to local people and the school involved is incredible. Planners must pay careful attention to what local people are saying.

Building so many houses on this site will lead to increased flood risk no matter how many attenuation crates are buried. Thousands of tonnes of solid clay will need to be dug out and carted around the steep, narrow roads of Ewens Farm. I almost think this must be a bad joke. The run off from the building site will be of enormous risk to properties downhill from the site. Post construction the lack of permeable surfaces and the inability of water to be absorbed into a thinner topsoil will lead to much more run off into drains even with permeable driveways. When the drains are overwhelmed and the attenuation tanks full we will see a repeat of the events of 2007. The single story maisonettes on Oak Avenue were devastated by brook flooding in 2007 and residents have no upstairs to retreat to. Why should they suffer so that people in brand new 3-5 bedroom luxury houses can enjoy a lovely view. There will be little affordable to buy on this site as the land values in the area are so high and the house developer specialises in luxury, high spec homes.

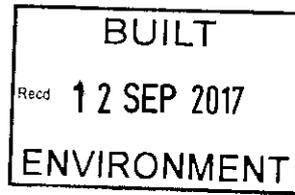
I also note what several people have commented on. The only residents who will not be adversely affected by the increase of at least 400 car journeys a day are the people who buy in the new estate. Everyone else and particularly those on the smallest and narrowest roads will suffer. If Tim Fry Landrover with 80 houses was turned down on traffic grounds how can this even be considered?

I trust that sense will prevail and that a bad joke doesn't turn into bad decision with irreversible consequences for the town.

Sincerely



G. HAMILTON Sr.
SIXWAYS
CHARLTON KINGS - 9L 53 8HW



Balcarras School,
East End Road,
Charlton Kings,
Cheltenham,
GL53 8QF

Ms Tracey Crews,
Director of Planning,
Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
GL50 1PP.

Monday 11th September

Dear Ms Crews,

Ref: Planning Application 17/00710/FUL.

As Chair of the Cheltenham and District Schools Athletics Association I am writing to object to the proposed planning application for dwellings in the Charlton Kings area.

Having taught at Balcarras School, and been involved in school sport within the Cheltenham area for over 30 years, I feel it important to comment on the impact of this planning application on this important open space. Cheltenham has generated numerous county, regional and international athletes over the years at cross country. All of these started their running careers on the St Edwards / Whitefriars school grounds and adjacent fields where the proposed houses are to be built.

It would be extremely sad to see this wonderful test of endurance lost to Cheltenham and its community. Quite simply, this venue has been a great servant and continues to be by far the best cross country school venue in the town. In addition, it has been used for numerous county championships.

On behalf of all Cheltenham schools I ask you to consider the points raised regarding this important natural venue. The 2012 London Olympics identified leaving a legacy as its main aim. This important Cheltenham site has already created its own legacy i.e. a healthier Cheltenham population and the memories attached to it.

Yours sincerely


Chair Cheltenham and District Schools Athletics Association

Field House
Ashley Road
Cheltenham
GL52 6PH



8th September 2017

PLANNING REF 17/00710/OUT

With reference to the above, we wish to object to the application.

I have driven to see for myself the traffic situation at Ewens Farm. There were cars parked along all the associated roads, making them extremely narrow, and especially dangerous during the busy times of the day. The access out of Ewens Farm is either onto the A40, which comes to a complete halt at rush hour; or via King Alfred Way onto Hales Road. It is difficult enough now to get through King Alfred Way with cars parked all over the pavements awaiting repairs at the garage. At rush hour during the morning the traffic along Hales Road down to the London Road traffic lights backs up as far as Battledown Approach and sometimes further. What will happen when you have another 200+ cars trying to filter into these roads. It is no good thinking people will walk or cycle, the majority do not.

The Planning Committee must take this into account. The roads are not designed to take the amount of traffic already using it and planning to build another 100 houses will result in a huge increase in traffic in the Battledown area.

The letter of objection from the resident in Tall Timbers who obviously has detailed knowledge regarding traffic flow, puts the case much more succinctly than I.

Regarding the risk of flooding. We happen to live on the top of Battledown and our house is built on clay soil. Having lived here for many years, I have always been grateful of where we live, having seen the excess rain water flood down the hill, even right through some houses lower down. The building of so many houses and the taking away of permeable green fields could have a direct impact on existing properties.

Battledown is a unique habitat and it is tragic to think that our local flora and wild life would be destroyed if planning was granted.

Whilst I realize that the Planning Committee does not have to take into consideration the other aspects of the result of having maybe 300 other residents in the area. It must be aware that there are not enough doctors, spaces in the local schools, or beds in the hospital for such an increase in population.

My husband agrees with the content of this letter, and hence we wish it to count as two objections, not one.

Yours faithfully,

A large black rectangular redaction box covers the signature and name of the sender. The box is positioned below the closing 'Yours faithfully,' and extends across most of the width of the page.



Field House
Ashley Road
Cheltenham
GL52 6PH

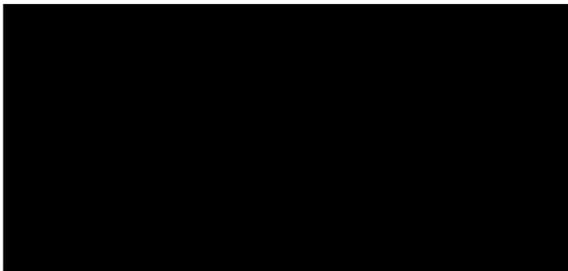
27th February, 2018

Dear Madam

PLANNING REF. 17/00710/OUT

I refer to my previous letter of 8th September 2017, (a copy of which is enclosed). The comments we made then still apply and the granting of permission for development of this preserved area in our opinion should not be granted.

Yours sincerely,



Field House
Ashley Road
Cheltenham
GL52 6PH

8th September 2017

PLANNING REF 17/00710/OUT

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I have driven to see for myself the traffic situation at Ewens Farm. There were cars parked along all the associated roads, making them extremely narrow, and especially dangerous during the busy times of the day. The access out of Ewens Farm is either onto the A40, which comes to a complete halt at rush hour; or via King Alfred Way onto Hales Road. It is difficult enough now to get through King Alfred Way with cars parked all over the pavements awaiting repairs at the garage. At rush hour during the morning the traffic along Hales Road down to the London Road traffic lights backs up as far as Battledown Approach and sometimes further. What will happen when you have another 200+ cars trying to filter into these roads. It is no good thinking people will walk or cycle, the majority do not.

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Yours faithfully,





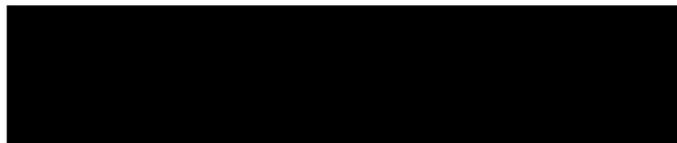
Dear Madam,

Your Ref. 17/00710/OUT

With reference to the above planning application, I refer to my previous letters of objection, which still apply despite the number of houses being reduced by 9.

I enclose a cutting, from The Daily Telegraph, and urge the Planning Committee to look at the Big Picture, and keep green spaces in our town and build on brown sites. What about the the site in Carlton Street where the post office vans used to be, it has been ripe for development for years as an example.

Yours faithfully,



Page 557
Daily Express
7.5.2018

Parks and green spaces 'save the NHS £100m a year'

By Victoria Ward

PARKS and green spaces save the NHS more than £100million a year, research has shown.

They provide well-being benefits worth £34billion annually, according to the Fields in Trust charity, which wants the Government to ban councils from selling school playing fields.

It came after fears a council's decision to approve plans for a free school on fields it holds in trust could pave the way for similar moves across the UK.

An action group wants a public inquiry into Reading Borough Council's decision to develop the land originally bequeathed in a charity trust for recreation only. Objectors include Sports England, the Football Foundation, Fields in Trust and the Campaign to Protect Rural England amongst others.

Martin Brommell, chairman of the Mapledurham Playing Fields Action Group, said: "If this development goes ahead, other councils will get the message that they don't have to give up valuable development land if they can give up trust land instead."

The Fields in Trust report found that green spaces saved the NHS at least £111million every year, enough to pay for more than 3,500 nurses.

The figures are based solely on the number of GP visits they prevent and do not include savings from non-referrals for treatment or prescriptions, meaning the actual savings to the taxpayer would be significantly higher.

The research - the first time well-being benefits of parks and green spaces have been calculated - valued such green land at £974 per person.

"Chiltern Lodge"
Charlton Court Road
Cheltenham
Gloucestershire
GL52 6JB
England



Planning,
Municipal Offices,
Promenade,
Cheltenham,
Gloucestershire GL50 9SA

 28. February, 2018

Dear Sir or Madam,

Re:Planning Reference number 17/00710/OUT

Although I have not previously written to you to object to the proposed plans to build 100 House on the green field site - "St Edwards School Fields", I have now resolved to add my strongly considered objection to this proposed new development.

I having perused the reactions and objections of all the people, posted on your Website by people, all of whose lives will be, impacted upon in a negative manner by the proposed development! I confirm herewith that I totally agree with the objections to the new development raised with you, and I therefore ask for your serious reflection of the concerns that people have and on these real and valid grounds, I beg of you to reject this application now and in the future.

For your information, I am an eighty one year old, Charlton Court Road resident and I have lived here some 49 years, since August 1969, and as such, I consider that I am well qualified in writing this letter to you! At the beginning of this period, my family experienced this as a peaceful residential area with practically no traffic at the time but over the years, there have been significant developments that have gradually eroded this with a resulting negative effect on the quality of the life here. With this new development, the situation will even get significantly and unacceptably worse!

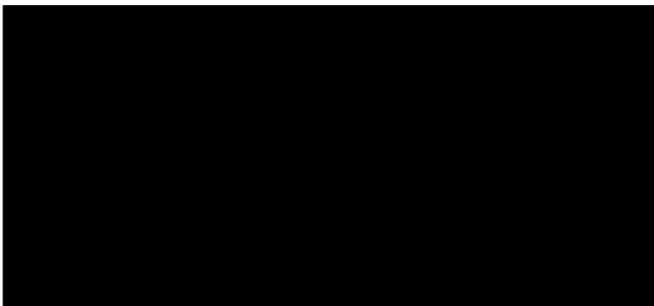
Additionally, the issues that come to mind with the development that are of most likely to be of concern are:

- Increase patient load on the Doctors at the "Sixways Clinic", catering for the local population, where access to doctors can be difficult and with long waiting times for an appointment.
- Added refuse collection problems due to possible poor and steep vehicular access onto the new estate.
- An unacceptable worsening of traffic in Charlton Court Road, caused by vehicles accessing and leaving the new estate moving to and from London Road.
- The additional load put on the existing Old Sewage System. This is already at the limit of capacity!
- Additional provision for schoolchildren from the families on the new estate will become necessary. The question is can all these additional children be satisfactorily accommodated locally without them having to move outside the catchment area?
- In addition, the need for extra supplies of Gas, Electricity and Water provision to cater for the additional 100 house to be build putting a heavy pressure and demand on the existing infrastructure.
- Finally, this development will have an undoubtable and irrecoverable impact on the natural fauna and wildlife environment in every respect!

I am hopeful that all the responsible parties involved in this matter, will in their final decision be able to respect the wishes of the local residents and that therefore the Planning Application, will be firmly and finally rejected!

In closing, I look forward to your valued reply to this matter.

Yours respectfully,



Judith Baker

From: Internet - Built Environment
Sent: 13 September 2017 12:55
To: Internet - Planning Comments
Subject: FW: Planning application 17/00710/OUT - Land adjacent Oakhurst Rise
Attachments: FW: Cheltenham Plan (part one): Public consultation

From: [REDACTED]
Sent: 13 September 2017 12:49
To: 'dcomments@cheltenham.gov.uk'; Internet - Built Environment
Cc: 'rebeccarar@hotmail.com'
Subject: FW: Planning application 17/00710/OUT - Land adjacent Oakhurst Rise

From [REDACTED] Glenwhittan, Birchley Road, Cheltenham, GL52 6NY; te [REDACTED]

Director of Planning
Cheltenham Borough Council

For the attention of Miss Michelle Payne

Dear Sirs,

I write to object to the above planning application, in line with comments submitted on 20th March 2017 to the Cheltenham Plan (part one) Public Consultation (copy attached); and for other reasons.

Landscape and Environment

The first objection is that the application would allow serious over-development of high ground forming a part of the Cotswold escarpment. Ground contour levels on the site rise from about 100m AOD at the south end of the site to about 125m adjacent the rear of Birchley Road properties (on the north side of the site); whereas almost all major development in Cheltenham over the last 100 years or so has been limited to ground levels of about 105 – 110m AOD. As proposed in the attachment (Cheltenham Plan: Public consultation), there should be no development on ground above 110m, in order to protect the escarpment; which, from south of Gloucester to the north of Cheltenham (past Prestbury, Bishops Cleeve, Woodmancote, Oxenton, Teddington), remains an almost undeveloped, unspoiled landscape of great natural beauty. The only major development on the escarpment on the east side of Cheltenham is Battledown, which was planned and laid out about 150 years ago; and which has the significant requirement that every property should be sited on an half acre plot: this allowed most of the properties built to be planted with major trees, so that it is now visually a green tree-covered landscape with many properties part hidden when looking from the west (Gloucester, Staverton, Churchdown, Tewkesbury) eastwards. The properties proposed for the Oakhurst Rise development are generally on plots of limited size, which will not allow the planting of large trees (because of the disruptive effect they would have on the properties themselves).

In this sense, the proposed development is as undesirable and damaging to the landscape as development of the middle slopes of any hills, escarpment or coastline would be. It would also set a terrible precedent for higher level development of the south side of the existing village of Charlton Kings, below Daisybank Road.

This problem with the proposed development is compounded by the planned removal of many individual trees (including some with preservation orders) and a major ancient hedgerow (which itself extends to an area of about 4,000m² - about 1 acre - which as a consequence of its age and size shelters foxes, deer, bats, birds, especially owls and wood-peckers, and small mammals). There is really no planning or intellectual argument to justify this

destruction, in the absence of confidence in the developer's willingness and determination to protect important features of the existing environment, instead of practically clearing the site at the start. In the developer's analysis, it is justified on the grounds that many of the individual trees are not of specimen value, not being individually planted and nurtured, i.e. being wild; overlooking the fact of the length and size of the hedgerow, that can be seen for miles around; and that for centuries it has been home to wild creatures in a natural environment without any human interference: the adjoining meadows are mown once a year, about a day's work with a tractor.

Though the main reason for the objection is preservation of irreplaceable landscape (within a thriving community), the retention of natural habitat and ecology is also of great value, especially when available to a school, and through the school to other young people.

Transport:

The road proposed for access to the site - Oakhurst Rise (OR)- is discussed in the transport assessment, paragraphs 2.6 and 2.7 (only); and its inadequacies are ignored in the discussion. In particular:

- the road gradients are too steep: almost 15% gradient for the upper length leading to the site entrance; and about 13.5% for the lower length joining Beaufort Road: both far in excess of the Glos. C. C. 'Highway requirements for development', which gives maximum gradients of 8% for access roads. The consequence is that the access road will be unusable by many vehicles after snowfalls, and will be hazardous in icy conditions; with a potential risk of accidents, because of cars failing to stop in time, or sliding into or across the two T-junctions, one at the bottom of the upper slope opposite no. 17 OR, and the Beaufort Road/Oakhurst junction;
- the road may be too narrow (5.5m); the G.C.C. requirement is 5.5 or 6.0m (depending on classification);
- the pavements are too narrow: the G.C.C. requirement is 2.0m;
- it appears that OR could be classified as a minor access road (MiAR), but it does not comply with the physical requirements for a MiAR, and it would be serving 2 - 3 times the number of dwellings for such a road (50 maximum); even as a major access road the number of dwellings served (approximately 120) would exceed the maximum permitted (100 for single access), and the physical requirements are still not satisfied (gradients etc.); in general terms, without relaxation of the G.C.C. requirements, there is no classification permitting more than 100 dwellings with only one access.

The assessment of the effect of the development (i.e. 100 extra dwellings) on the local roads immediately affected is unconvincing. Aside from the unsuitability of OR as the access road to the site, a basis for considering the increase in traffic could be summarised as follows:

- number of current dwellings:

Ewens Road	19
Pine Close, Oakhurst Rise	say 40
Beaufort Road	<u>41</u>
	100;
- current total of dwellings
which would increase to 200 dwellings after development:

- i.e. there would be a substantial increase in traffic on the two roads leading away from the site: Ewens and Beaufort Roads;
on-street parking on these roads and Haywards Road (the next affected road for traffic towards Cheltenham) is repeatedly described as 'sporadic'; definition "occurring only here and there, separate, scattered"; but the on-street parking is nearer constant and widespread than sporadic, and already severely restricts vehicle movement on these roads, and also on Oak Avenue;
- all of these roads are residential roads, not suitable as transitional roads, and certainly not as local distributor roads: (a through traffic route suitable for moving traffic between different parts of the town).

In discussing overall design concepts the G.C.C. 'Highway requirements for development' recommended:

"The creation of large cul-de-sac estate layouts, *where a large number of houses rely on one access road*, and pedestrian access is similarly restricted, must be avoided." (My italics)

[REDACTED]

Glenwhittan, Birchley Road, Cheltenham, GL52 6NY [REDACTED]

[REDACTED]

Judith Baker

From: [REDACTED]
Sent: 20 March 2017 16:26
To: Internet - Strategic Land Use
Subject: FW: Cheltenham Plan (part one): Public consultation
Attachments: contour plans.pdf

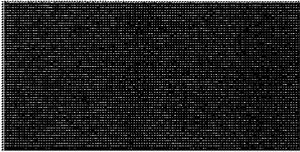
re: local green space designations and potential development sites

Proposal:

Preservation of all high ground around Cheltenham and Charlton Kings as green spaces, visible from all directions: from the Cotswold escarpment (e.g. from the Cotswold Way and the Cheltenham circular path), from Cheltenham itself, and from across the valley, from around Gloucester, Churchdown and Tewkesbury.

Almost all recent development in Cheltenham is contained within areas having ground levels of not more than 100 – 105m. above sea level: (some typical maps are attached). Therefore for all land above a contour level of 100 -105m. a.o.d. there should be a general prohibition of development, and protection and preservation of the natural environment: therefore no removal of trees, hedges or woodland.

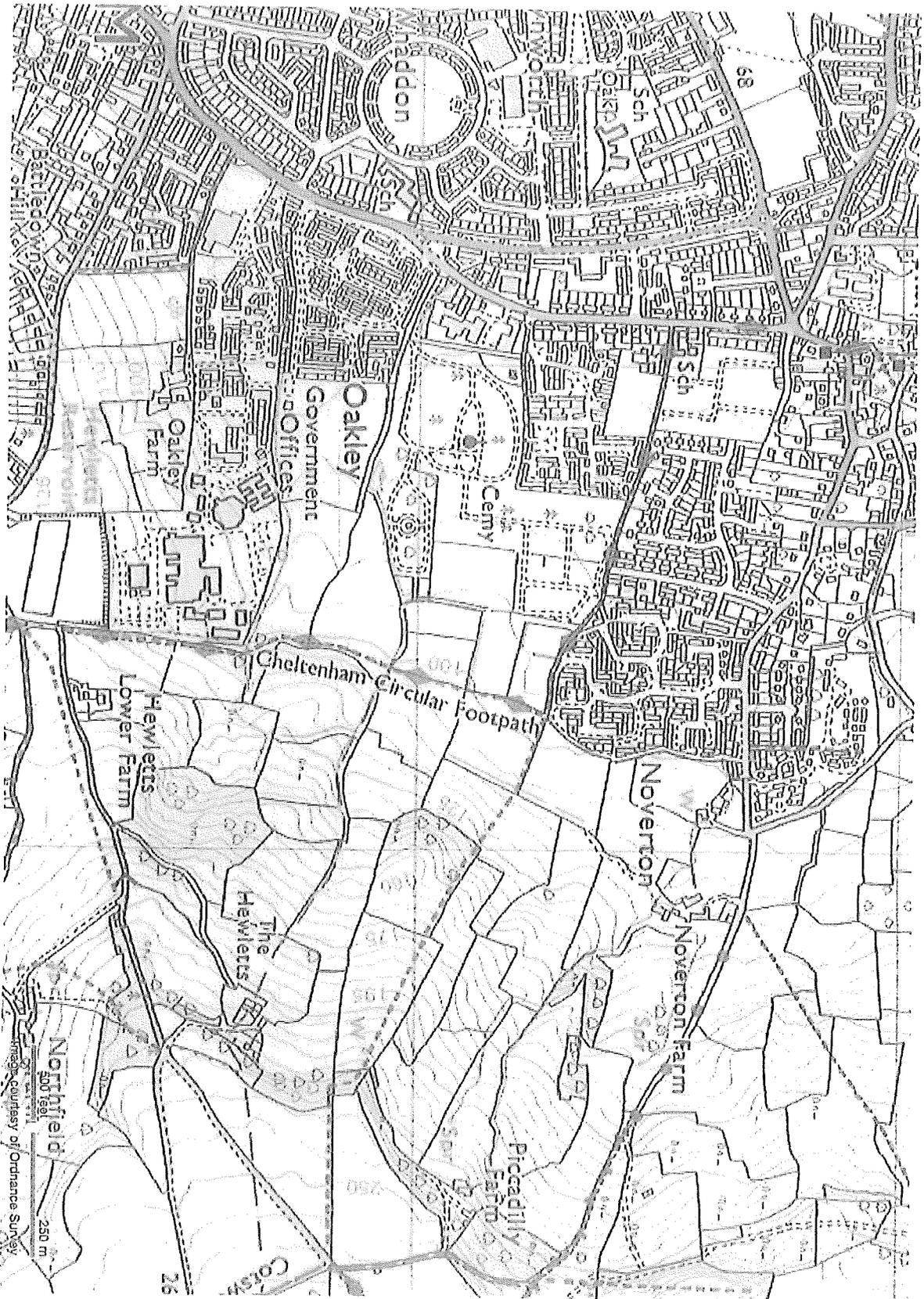
The objective is to preserve the unspoilt Cotswold escarpment, and the intersecting valleys (such as that of the River Chelt through Charlton Kings), along the whole of the east side of the Severn valley from south of Gloucester, to the north of Cheltenham and beyond.





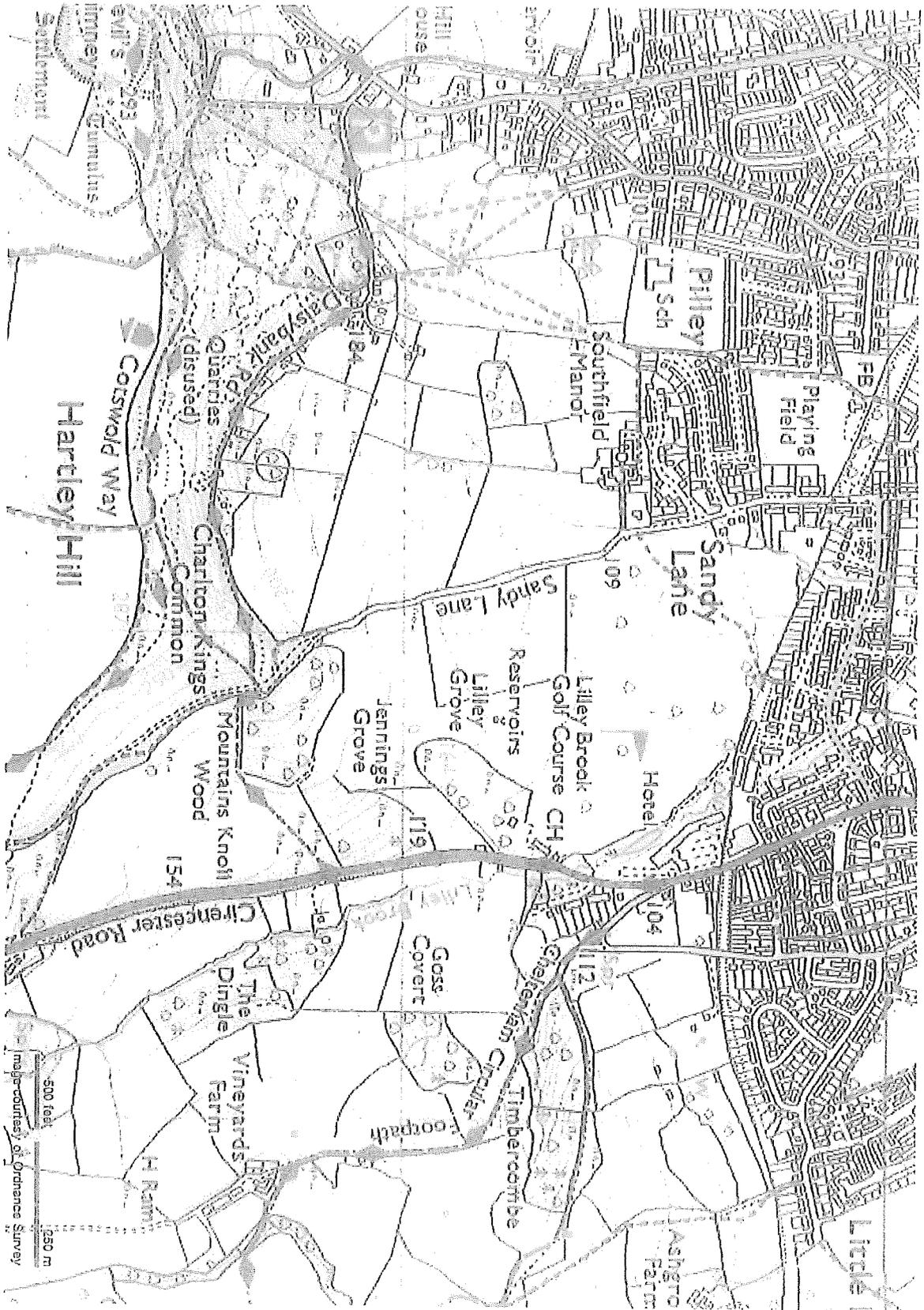
18/01/2017

Bing Maps - Directions, trip planning, traffic cameras & more



<https://www.bing.com/maps/>





10/01/2017

Bing Maps - Directions, trip planning, traffic cameras & more





APPLICATION NO: 17/00710/OUT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 16 th August 2017		DATE OF EXPIRY : 15 th November 2017	
WARD: Battledown		PARISH: Charlton Kings	
APPLICANT:	William Morrison (Cheltenham) Ltd		
LOCATION:	Land adjacent to Oakhurst Rise, Cheltenham		
PROPOSAL:	Outline application for residential development of 90 dwellings including access, layout and scale, with all other matters reserved for future consideration.		

ADDITIONAL REPRESENTATIONS

Southern Lawn
Ashley Road
Cheltenham
GL52 6NU

Comments: 11th July 2018

A number of new documents have been submitted in relation to this application. Insufficient time has been allowed for us to read them and take advice:

Please could the latest documents either be withdrawn, or the application postponed to a later Committee date?

This is an excessively complex application, made more confusing by the constant changes to documentation and inconsistencies of fact and detail. The high level of objection to the scheme is sufficient to demonstrate its sensitivity. As a green field development in a highly visible area, it will - if approved - have an everlasting impact upon the environment and landscape as seen from the AONB and the village of Charlton Kings (stand outside Smith and Mann by the bus stop on the little roundabout and look up at the hill).

A full application would allow better assessment and more detailed conditions to be applied, and as such may allay some of the anxieties expressed. Once outline permission is granted, our Councillors have lost their ability to fully manage the situation:

Please could you consider requesting a full planning application, not an outline one, so the impact can be fully assessed before determining this matter?

The impact of a development can be mitigated by the choice of materials. Given the sensitivity of the site, materials that are natural and will mellow would seem desirable. For example, the use of timber cladding or sedum roofing. The only designs I have seen were for bright white boxes, angular and totally unsympathetic to the site. The housing next to Sainsbury on Hales Road is a sad example of builders who use convenient and cheap materials which look pretty initially but fail to stand the test of time:

If a full application is requested, please could there be very careful consideration of materials and their visual and other impact on the local environment?

There is often a shortage of affordable housing in Cheltenham. When there is housing eligible for government schemes, such as Help to Buy, it is normally in the form of apartments. Apartments are notorious for management charges and on-going high costs, and they are small with no gardens. With people buying their first home later in life (most are 30 or older now), an alternative

Page 572

form of affordable housing would be very welcome. A terrace of 2 and 3 bedroom houses would be ideal, with gardens and parking, so that those who have scraped together a deposit can plan to stay there for a few years. Given the disruption to all the people who will have extra traffic going past their houses, having genuine and desirable affordable housing on the site might slightly mitigate their objections.

Sadly, developers frequently back out of the affordable housing liability on the grounds of cost. Is there any way to secure it, so this does not happen?

Please could the affordable housing be considered as central to the development, and not a cheap tag on arrangement, and is there any way to secure it?

Many thanks for all your help.

Charlton Manor
Ashley Road
Cheltenham
GL52 6NS

Comments: 13th July 2018
Letter attached.



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Cambridge CB1 1JP

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law@richardbuxton.co.uk

Cheltenham Borough Council
Place and Economic Development
Promenade
Cheltenham
GL50 9SA

Attn. Michelle Payne, Senior Planning Officer
Tracey Crews, Director, Planning

Also by email: Michelle.Payne@cheltenham.gov.uk
Tracey.Crews@cheltenham.gov.uk

Your ref: 17/00710/OUT
Our ref: WPS1-001/LF/MM

Email: lfoster@richardbuxton.co.uk; mmcfeeley@richardbuxton.co.uk

11 July 2018

TIME-SENSITIVE

Dear Sirs

Outline application for residential development of 90 dwellings including access, layout and scale, with all other matters reserved for future consideration; Land Adjacent To Oakhurst Rise Cheltenham Gloucestershire (Ref. 17/00710/OUT)

1. We write in reference to the above application for outline planning permission for greenfield development of up to 90 dwellings and ancillary development at land off Oakhurst Rise ("the site").
2. We represent [REDACTED] of Charlton Manor, Ashley Rd, Cheltenham, GL52 6NS, which lies adjacent to the site.
3. It has recently come to our attention that the Council has, since 2 July 2018, published a large number of new documents on the Council's webpage associated with planning application 17/00710/OUT. These documents include, inter alia, a revised ecological appraisal, revised reports relating to bat activity and roost potential, a revised proposed site layout, a revised flood risk assessment, revised drainage plans, a revised arboricultural survey, impact statement and method statement, and a revised landscape and visual impact assessment. A large number of new plans have also been produced relating to a range of different issues, including access, highways and landscaping.
4. We understand from email correspondence between the Council and our clients that this application is due to be considered by the Council's Planning Committee at its 19 July 2018 meeting.

5. Given the late addition of this new information, it was not possible for our clients, or indeed, statutory consultees, to review these documents and respond within the consultation period provided by the Council based on accurate and complete information about the proposed development and its potential effects.
6. This runs contrary to article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Planning Practice Guidance on consultation. We also draw the Council's attention to the recent Judgment in R(Holborn Studios Ltd) v. Hackney LBC, [2017] EWHC 2823 (Admin). It is quite clear that the Council's duty of procedural fairness requires it to provide our clients and other interested residents with the opportunity to consider the new information recently uploaded to the Council's site, to take further expert advice if they choose, and to provide comments.

What the Council is requested to do:

7. On the basis of the above the Council is requested to:
 - a. Defer application no. 17/00710/OUT on the basis that the Council has not fulfilled its public law duty to provide the public or statutory consultees with adequate opportunity to comment on the revised materials associated with the application.
 - b. Open a new consultation period to allow statutory consultees and the public to comment on the basis of this revised information.
8. On the basis of what we set out in this letter it would be perverse and therefore unlawful for the Council as matters stand to proceed to consideration of this application at the 19 July 2018 Planning Committee meeting.

Yours faithfully


Richard Buxton Environmental & Public Law

From: Simon Firkins [<mailto:simon@sfplanning.co.uk>]
Sent: 12 July 2018 17:14
To: Michelle Payne
Subject: Rebuttals of heritage comments by Dr Doggett
Importance: High

Dear Michelle

Further to the submission of the Heritage Comments by Dr Doggett on behalf of the residents of Charlton Manor, please find attached responses to those comments from CgMS and Architectural History & Conservation.

I apologise for not being able to get these to you sooner – they have been prepared as swiftly as possible in the circumstances and having given full consideration to the points raised. As you can imagine, the authors of the attached were keen to provide a true assessment of the situation with regard to heritage matters as they see it, and to correct certain rather sweeping and unsubstantiated comments by Dr Doggett. In these respects (the specific points related to heritage considerations) I trust the attached are self-explanatory and assist in clarifying the relevant tests and terminology that should be used in these cases and the level of harm that may arise from the proposed development.

This is agreed by all others to be less than substantial (albeit there is some disagreement on the degree of that less than substantial harm) and thus the next stage is to weigh this up against the public benefits, as you have done in the report to committee. I see that Dr Doggett has also made a passing comment about public benefits and that these do not outweigh the harm in his view. With respect to Dr Doggett in his role as a heritage consultant, this is not really his test to apply, being as he is approaching things from a heritage perspective.

From my point of view I feel I should point out that Dr Doggett's report is no more 'independent' than those written by others, as he suggests. He has been employed by those with strong objections to the proposal and thus is not independent. Certainly the various reports by ECUS I consider to be more independent as they having nothing to gain or lose if the site is developed or not, and their view is quite clear – they say the west parcel can be developed without harm to heritage assets and whilst the east side of the site is more sensitive in this regard it can continue to be developed providing appropriate care is given to the layout to ensure any harm is minimised and mitigated – just as we feel we have done through the layout as now proposed.

I hope the attached assist in any further consideration of this specific matter.

With best regards

Simon

Simon Firkins MRTPI

SF Planning Limited | 12 Royal Crescent
Cheltenham | Gloucestershire | GL50 3DA
Tel: 01242 231575 | **Mobile:** 07836 247317



[Website](#) | [LinkedIn](#) | [Twitter](#) | [Email](#)



Our Ref: JJ/JCH00032/RbLet

(email address: jessica.jones@cgms.co.uk)
Direct dial: 01242 335 112

Ms Tracey Crews
Director of Planning
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham, GL50 9SA

Burlington House
Lypiatt Road
Cheltenham GL50 2SY

Tel: 01242 259 290

www.cgms.co.uk

5th July 2018

Dear Ms Crews,

Land off Oakhurst Rise, Cheltenham – Application Ref. 17/00710/OUT

CgMs are acting for William Morrison (Cheltenham) Ltd and have been engaged to provide professional expertise in relation to built heritage matters at the above site since 2016.

Please accept this letter as a rebuttal to the representation of Dr Nicholas Doggett of Asset Heritage Consulting dated 20th June 2018, which primarily relates to alleged harm to Charlton Manor, a grade II listed building. It should be noted that Dr Doggett represents the owners of Charlton Manor and therefore his representation cannot be considered to wholly represent the '*independent professional analysis*' that is claimed in his letter.

Whilst Charlton Manor is clearly Dr Doggett's primary focus, his representation also contains passing reference, amongst other matters, to Historic England's comments regarding potential for impact to the grade II* South-West Regency Block to St Edward's Middle School. Both CgMs and AHC have already provided rebuttals following Historic England's comments.

Many of the issues raised by Dr Doggett concerning Charlton Manor are discussed at considerable length in the CgMs Built Heritage Statement (revised April 2018) submitted as part of the application, and consequently are not repeated here. Dr Doggett describes the conclusions of both the CgMs Built Heritage Statement and the Heritage Statement produced by AHC (dated November 2017) as '*flawed and inaccurate*'; yet his own representation fails to assess in detail the contribution made by setting, including the Site, to the significance of the heritage asset, as recommended by Step 2 of Historic England's settings guidance (*GPA3: The Setting of Heritage Assets, 2017*).

The Built Heritage Statement produced by CgMs fully assesses the potential for impact on the significance of Grade II listed Charlton Manor, in accordance with the 'five-step' process set out by guidance in *GPA3*. Having followed this process,

the CgMs report concludes that the harm to Charlton Manor arising from development of the site as currently proposed will be less than substantial in magnitude, and specifically moderate in degree, thus engaging Paragraph 134 of the NPPF. By contrast, Dr Doggett's representation variously and inconsistently refers to '*clearly adverse impact...on the setting of Charlton Manor*' and '*severe harm caused to the setting*'; however it must be emphasised that setting is not a heritage asset. Dr Doggett's representation then goes on to refer to a '*highly adverse impact...on that significance*', without clearly assessing how this harm is actually sustained or accurately quantifying the degree of harm. Furthermore, many of the points raised by Dr Doggett relate to matters of amenity, rather than the potential for impact on the heritage significance of the listed building.

As outlined in the CgMs Built Heritage Statement, it is acknowledged that Charlton Manor will sustain a moderate degree of harm as a consequence of loss of views to only the rear of the building, which currently provide a degree of rural context; but it should be emphasised that these views are not a key contributor to the significance of the listed building. Furthermore, as also stated in the Built Heritage Statement (and seemingly also acknowledged in Dr Doggett's representation), any contribution made by these views is diluted by the lack of any known functional relationship between the listed building and the site.

Finally, it should be stressed that Dr Doggett fails to give sufficient consideration to the potential to mitigate the harm identified, as recommended by Step 4 of GPA3. As again outlined in the Built Heritage Statement, the proposals specifically include mitigation measures in order to reduce any potentially harmful impacts to Charlton Manor (and indeed any other surrounding built heritage assets). Dr Doggett appears to dismiss as inappropriate what are carefully-designed and contextually-sensitive measures, which include augmentation of existing landscaped planting. GPA3 specifically acknowledges that '*screening may have a part to play in reducing harm*'. Contrary to Dr Doggett's assertion that the scheme also delivers no heritage benefits, as emphasised in the Built Heritage Statement, the proposals seek to provide a spatial linkage between the listed Regency Block and the icehouse, which can be considered a heritage benefit.

It remains our view that the potential harm to the significance of grade II listed Charlton Manor will remain less than substantial, specifically moderate in degree, thus engaging Paragraph 134 of the NPPF which requires this harm to be weighed against the public benefits of the proposals. The public benefits arising from the development are discussed at length in the planning statement accompanying the application, which provides clear and convincing justification for the identified harm.

Consequently, in regard to built heritage considerations, the planning application should be approved.

Yours sincerely,

Jessica Jones BA (Hons) MA MRICS IHBC
Associate Director, Historic Environment

Tracey Crews
Director of Planning
Cheltenham Borough Council
Municipal Offices
Promenade, Cheltenham
Glos, GL50 9SA

Date: 09/07/2018

Dear Ms Crews

Re: REF: 17/00710/OUT Outline application for residential development of 91 dwellings including access, layout and scale, with all other matters reserved for future considerations on land off Oakhurst Rise, Cheltenham (as revised April 2018)

I am writing to you to respond to a letter you have recently received, commissioned by the owners of Charlton Manor, Ashley Road, Cheltenham. This letter was produced by Asset Heritage Consulting and regards the outline application REF: 17/00710/OUT.

This letter states that the proposed outline application would cause '*severe*' harm to the setting of the Grade II listed Charlton Manor on Ashley Road, located to the north-east of the proposed site (page 5). We consider this to be not only incorrect in heritage terms but a very misleading statement. It should be noted that Asset Heritage Consulting has not used the understood and accepted terminology, as set out in the NPPF, which is normally used in assessing the impact of a development on a heritage asset.

As set out in the NPPF, harm to a heritage asset is categorised as either '*substantial*' or '*less than substantial*'. Asset Heritage Consulting's statement that there would be '*severe*' harm, although strong and suggestive of harm, does not actually state that they consider that there would be '*substantial harm*' caused to the heritage asset of Charlton Manor by this development.

This is perhaps because they have drawn the same conclusion as other the other three heritage consultants involved, (Ecus Ltd, myself and Professor Mowl [Architectural History and Conservation Consulting], as well as CgMs) that any harm to the heritage asset here, that would be caused by this development, could only ever be '*less than substantial*' – the terminology used by the NPPF.

High Court caselaw has provided clarity on the matter of the level of harm and how this is to be understood and this is extremely pertinent to this case. In the case of Bedford Borough Council, the judgment held that '*for harm to be substantial, the impact on significance was required to be serious, such that **very much, if not all**, of the significance [of the asset] was drained away*'. In respect of indirect harm, which would include harm to setting, the term was held to relate to '*an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced*'. Clearly this would not be the case with this application site or the effect that its development may have on Charlton Manor.

Since the development proposed for the application site (new houses) would not directly touch, alter, affect or cause loss in any way to or of the fabric of the listed building itself, or any of its curtilage buildings, or its domestic curtilage, nor would it cause the asset's significance to be '*vitiated altogether or very much reduced*', the highest level of harm here that could exist (if such harm was deemed to exist at all) could only ever be '*less than substantial*'. Clearly, therefore, any harm would not and could not be deemed to be '*severe*' and this statement is simply misleading.

Whilst harm of any level to a heritage asset, even '*less than substantial*' harm is not desirable and must be justified. '*Less than substantial*' harm must nevertheless be weighed and balanced against the public benefit that could result from a proposal; in this case the provision of new housing to serve the residents of Cheltenham. Asset Heritage Consulting shies away from the guidance set out in the NPPF, palpably overstating the case, failing to set out the correct level of harm that could occur here, and failing to carry out the balancing exercise that needs to happen to assess the level of public benefit that could accrue from such a development, which the NPPF is clear should be done at such a juncture (para 134).

It should be noted that Architectural History and Conservation consulting (AHC) were not commissioned to assess the impact on the setting of Charlton Manor that may occur from the proposed development of Land at Oakhurst Rise but were asked to simply consider the impacts upon the more sensitive, Grade II* St Edward's School building.

However, even a simple, desk-based assessment of the impact of the development upon Charlton Manor immediately raises the following important points that should be weighed against the significant public benefits of the supply of new housing in this location:

- 1) Charlton Manor is not and never was functionally connected with the land the subject of this application. Whilst this land does form part of its' wider setting, it is not specifically designed as a backdrop to the building;
- 2) Charlton Manor was indeed the first building to be constructed on this estate but was never intended to be isolated within a rural context. The wider estate at Ashley Road was an area of villa development in the nineteenth century and it would have been clear to the original owners and builders that the estate was going to be further built up and land around it infilled. Today the house, originally a Lodge (Simla Lodge) and not a Manor in the true sense of the word, is surrounded on three sides, north, south and east by other houses, built near to it, soon after it was constructed.
- 3) Up until relatively recently the western boundary of Charlton Manor was defined by a tall, thick hedge, which visually separated it from the land the subject of this application, making the listed building both insular and secluded (see Plate 1). This protective hedge, a length of which still remains which demonstrates the appearance and size of the whole hedge as it once was, was largely removed by the current owners. This was replaced by a brick wall (see Plate 2). Planning permission was never sought for the building of this wall and it remains an unauthorised development, built without consent in the curtilage of the listed building.



Plate 1 showing the thick boundary hedge which was recently removed by the owners and replaced with an unauthorised wall.



Plate 2 showing the new, unauthorised, wall now bounding the site to the west.

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Notwithstanding the above, it is considered that the applicants have sensitively laid out the proposed development to leave large rear gardens facing onto Charlton Manor in order to preserve a spacious buffer area for the listed building. This careful design, coupled with the fact that the actual fabric of the listed building would be untouched and its overall significance only slightly impaired by change to its setting, means that any harm deemed to come from this application would be '*less than substantial*' and therefore must be balanced against the significant public benefit and need for further housing in Cheltenham.

With regard to the Grade II* St Edward's School itself, detailed and careful research, carried out by Professor Mowl and I, has proved that the School, a Regency Villa named 'The Oaklands', was specifically designed to face *away* from the land to the north such that there would be very limited impact upon its setting and original design intention caused by this application. This has been set out in the Heritage Statement and subsequent letters.

Yours faithfully

Dr Carole Fry and Professor Tim Mowl

APPLICATION NO: 17/00710/OUT	OFFICER: Miss Michelle Payne
DATE REGISTERED: 16th August 2017	DATE OF EXPIRY : 15th November 2017
WARD: Battledown	PARISH: CHARLK
APPLICANT:	William Morrison (Cheltenham) Limited
LOCATION:	Land Adjacent To Oakhurst Rise, Cheltenham
PROPOSAL:	Outline application for residential development of 90 dwellings including access, layout and scale, with all other matters reserved for future consideration

Report Update

The following consultee comments have been received from Charlton Kings Parish Council.

Parish Council

17th July

Further to the CKPC Planning Committee meeting of 9/07/18, we object to the above application with the following comments:

The revisions to the Application in documents published on 2nd & 3rd July do not appear to make any material difference to what is only an outline application and do not address any of our previously stated objections as listed below.

We also note with some surprise that the Case Officer has published her report, recommending permit, on 12th July, even though the Statutory Consultation period expires 17th July.

Previous Comments:

In addition to those previous comments we note that the Barton Hyett Associates Arboricultural Review of the proposals suggests that the proposed development substantially under-estimates the impact on the trees on the site, including trees with TPO's, with the locations of trees being mis-recorded, their size under-measured and the required Root Protection Zones under-calculated. While the Committee is not qualified to assess which approach to the classification of trees and calculation of their Root Protection Areas is correct, this report does support and reinforce concerns previously raised by the public.

With respect to flooding concerns we also note the further objections from the Cheltenham Flood & Drainage Panel. The proposal does contain an attenuation system, but we have not found details of how it would be managed & maintained in the future. While the Committee is not qualified to check the adequacy of the proposed design, without such a management strategy in place it will not be effective in the long term.

The Residential Travel Plan is based on the premise that "The local accessibility of the site meets the bottom tier of the pyramid as it is accessible by walking and cycling, and is within close proximity to a range of local services and amenities". Since this is patently incorrect, the document's conclusions are similarly incorrect. The Committee understands that it has been suggested that the CBC Planning Committee site visit is organised so that the members of the Committee walk the route to assess the viability of pedestrian access at first hand. CKPC Planning Committee whole-heartedly support this call and would suggest that

walking from the Sixways public car park, adjacent to the Doctor's Surgery, would be a good assessment of the viability of pedestrian or bicycle use to and from the site.

Lastly, we reiterate our objection on the grounds that the impact on the quality of life for the existing residents of Oakhurst Rise is quite simply unacceptable. Sustainable Development is meant to have a positive impact on peoples' quality of life. This application would, beyond any reasonable doubt, have the opposite effect.

Comments from 14/9/17:

Environmental:

Members of the public have raised concerns over the environmental impact of the proposed development with concerns raised over the many mature trees, including large oaks, on the site and how many of them are protected or not protected. There are long established hedgerows on the site and the low intensity of use and cultivation has made the site a haven for wildlife including a well-established badger sett.

Heritage:

The development would have a significant impact of the setting of the listed buildings of the St. Edward's site

Drainage & Flood Risk:

A member of the public reported that a previous application in 1984 for this site for a three-acre scheme was objected to by Severn Trent on the grounds that the existing sewer system in the area had inadequate capacity for the additional volumes that would be generated. It was unclear whether this objection related to foul or surface water.

The geotechnical report in the application confirms that the underlying ground is impervious and will allow for no infiltration of surface water, ie that surface water cannot be managed by soakaways and that all surface water will have to be attenuated to prevent exacerbating downstream flood risk from the existing surface water system.

Local facilities:

Local public services are already under strain. All the local primary schools in the Parish and both Balcarras (in the Parish) and Pittville (the next nearest secondary outside the Parish) Schools are oversubscribed. The GP Surgeries at Sixways and Berkeley Place are reported as already having substantial waiting times. This development should not proceed without sufficient developer contribution to ameliorate the impact of increased demand on these services from the resultant population increase. Failure to provide sufficient additional capacity in these local services would make this Application detrimental to the quality of life of the existing residents of the Parish and make severely limit the availability of the services to the residents of this proposed development.

Transport & Access:

The access to the area via Oakhurst Rise is not suitable. The Committee would urge Officers and Members of the CBC Planning Committee to assess for themselves the length and severity of the slope to the top of Oakhurst Rise. This climb to the site would greatly limit the proportion of journeys that would be undertaken to or from the site by foot or bicycle, even to local facilities, preventing meaningful levels of sustainable transport.

Concerns were raised that the figures stated in the application documents for distances to local amenities such as Holy Apostles School are incorrect.

It is reported that during icy weather and snow the residents of Oakhurst Rise have to leave their cars parked at the bottom of Oakhurst Rise and around the Ewens Farm estate due to

the severe risk of slipping and causing injury and / or damage. Such arrangements would clearly be impractical for the cars from a further 100 dwellings.

The forecast volumes of traffic to be generated by the development forecast are unrealistically low. A common-sense estimate of volumes may be an average of two cars per household each morning and evening. The Committee would suggest that CBC commission an independent forecast / modelling of potential traffic flows to and from the site to better assess the impact on existing residents and the road network (particularly the flows through Ewens Farm and the junctions onto London Road and Hales Road.

Lastly, and most significantly, the impact on the quality of life of the existing residents of Oakhurst Rise would be quite simply unreasonable. Those residents currently live in a quiet cul-de-sac. Their relatively narrow street will be transformed into a through route for all the movements of the residents of another one hundred dwellings and all associated deliveries to those properties. The National Planning Policy Framework clearly lays out a presumption in favour of Sustainable Development. Cl. 9 of the NPPF states:

“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- improving the conditions in which people live, work, travel and take leisure.”

This application can in no way improve the conditions in which the existing residents of Oakhurst Rise live, and fails to provide any realistic access to sustainable transport for residents of the proposed development.

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APPLICATION NO: 17/00710/OUT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 16th August 2017		DATE OF EXPIRY : 15th November 2017	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	William Morrison (Cheltenham) Limited		
LOCATION:	Land Adjacent To Oakhurst Rise, Cheltenham		
PROPOSAL:	Outline application for residential development of 90 dwellings including access, layout and scale, with all other matters reserved for future consideration		

ADDITIONAL REPRESENTATIONS

Meadow View
 Birchley Road
 Cheltenham
 Gloucestershire
 GL52 6NY

Comments: 16th July 2018

With the CBC Planning Meeting scheduled for Thursday 19 July, it is vital that comments are made to the absurd and un-democratic process that is going on with regards to the Oakhurst Rise outline planning application.

So yet again, the stakeholders and neighbours involved in the Oakhurst Rise proposed development need to respond to now the 4th variation of the developer's and the Carmelite Charitable Trust's ambition to destroy a natural habitat for their personal enrichment.

Michelle Payne the Planning Officer responsible for this application has produced her report, where the findings, conclusions and recommendations are biased, illogical, inconsistent and demonstrate a clear failure to follow due process.

Some examples of this are as follow: -

1. On 2 and 3 July a further 27 reports, layouts, documents were uploaded to the CBC Planning Portal. I presume this was to update the application and allow stakeholders to read and comment on the application, as we have been forced to do since this process started in January 2017. However, there was no summary of the changes made, nor were documents submitted in track changes, this makes it extremely difficult for stakeholders to understand what changes have been made, what is their purpose and what impact this will have on the overall application.

2. Michelle Payne's comment 5.3 in her report is that the latest modifications are not that significant and as such, there is no need for further stakeholder consultation. This is not following due process and places CBC at risk of legal action.

3. It is indeed difficult to determine what has changed in the recent July application. However, as an example the map showing the development site on page 1 of Michelle Payne's report has never been listed on any of the over 500 documents and comments. In fact, it is quite different to the previous site plans. As such, "where is the site?" - the most fundamental question of the planning application is unclear! In addition, it is unclear as to who is the applicant? Is it William Morrison (Cheltenham) and the Carmelite Charitable Trust, or just William Morrison?

4. In Michelle Payne's report she makes significant reference to the need for affordable housing in Cheltenham. This is something that all residents should support. However the key question is does development of this site provide the only likelihood of Cheltenham being able to meet its requirements? The answer clearly is no! if you read the Housing and Mixed-Use Topic Paper - The Cheltenham Plan 2011-2031, it lists numerous sites that have been proposed, of which I would expect that S106 agreements will apply to the larger sites and as such a percentage will be designated as affordable. Having studied and commented on the draft local plan, I see there is no shortage of more suitable sites than Oakhurst Rise.

5. It is also perverse that in the midst of the consultation process for the Cheltenham Plan 2011 - 2013, where the Oakhurst Rise site is being considered for up to 25 homes, we should be considering the site for outline application for 90. Surely for such a contentious application as 17/00710/OUT, we should await the outcome of the Cheltenham Plan, where all sites in aggregation can be considered to help meet the requirements of affordable housing.

6. In Michelle Payne's final conclusion, she lists the benefits of temporary construction as "moderate weight" - this is totally illogical! Houses will be built in Cheltenham, as seen from the draft local plan, there is an extensive portfolio of sites in the area. Clearly houses are currently being built in Cheltenham with large site under construction on the former GCHQ site at the top of Harp Hill and the large construction site at Bishops Cleve. I fail to see there is any additional temporary employment benefit of building on Oakhurst Rise.

7. Michelle Payne also lists as benefit with moderate weight "provision of green infrastructure." It is difficult to understand what this refers to, as no mention has been made in the application. If this refers to SUDS, a few trees being planted and a flood water hold-up pond; then this nothing at all. We have not seen any sign of the developer using the site for installation of PV, rain water harvesting, ground source heat pumps, micro-cogen, nor building properties to the highest standards to achieve "passive house" status. This is no surprise, as so far the developer has just focused on cost minimization and profit maximization rather than making any genuine contribution to Cheltenham.

8. A further benefit of limited weight is listed as "contributions to local infrastructure" - what is this? If she means the requirements that will flow from a S106 agreement, this just seems to cover some additional resources for schools and local library services that is directly proportional to the additional impact of new residents to the area and educational requirements. As such, I do not see any net benefit. Where is the provision of a new local shopping centre with medical facilities, pharmacy and community activities, or a exercise track and child play facilities? That would constitute genuine local infrastructure improvement.

9. In the adverse impacts Michelle Payne list damage to heritage assets, damage to the landscape, damage to veteran trees and relocation of badger setts. Bearing in mind that over 300 people and numerous NGOs and the Charlton Kings Parish Council have adversely commented on the unsuitability of the site, it is remarkable that she has not listed; flood risk, underground springs, steep gradients on the site, road capacity, road safety, difficult access to local facilities, only a single access point for a development of 90 properties.

10. Michelle Payne's final conclusion is that the benefits just outweigh the impacts. I would strongly suggest that this is not the case and any experienced councilor faced making a balanced decision at the forthcoming Planning Committee would see that the only decisions are as follows: -

a. Strong refusal of the application

b. Deferral of a decision to allow a more balanced decision to be made when all new facts have become clear.

c. Deferral of a decision until the new Cheltenham Plan has been fully adopted.

d. In addition, I would suggest that Michelle Payne is removed from this file as I believe she has lost her sense of balance in considering all aspects of this application, including the massive negative response to this application from the local community and her inability to follow due process.

11. Personally, I would re-iterate my previous proposal that the application is rejected on numerous grounds and the site should be listed as a Local Green Space (see note below - a concept pioneered by Martin Horwood) for future generations to enjoy and for preservation of the flora and fauna.

Note 1 - Local Green Space

The National Planning Policy Framework (NPPF) introduced a new concept of a Local Green Space designation (1). This is a discretionary designation to be made by inclusion within a local development plan or neighbourhood development plan.

The designation should only be used where the land is not extensive, is local in character and reasonably close to the community; and, where it is demonstrably special, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife (2).

Policies within the local development plan or neighbourhood development plan for managing development within a Local Green Space should be consistent with the policies protecting green belts within the NPPF (3).

11 Beaufort Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JS

Comments: 16th July
Letter attached.

The School Bursary
St Edward's
Cirencester Road
Charlton Kings
Cheltenham
GL53 8EY

Comments: 13th July
Letter attached.

From: [REDACTED]
Sent: 16 July 2018 11:33
To: Internet - Built Environment
Subject: Oakhurst rise planning development

Dear Planning committee

My plea and asked help pertains to the possible housing development on Oakhurst Rise, Charlton Kings, Ancient, Medieval, organic Meadow at the top of the rise.

I have two factual concerns.

1. Natural geological on-going subsidence.

I would add my own I put.

My own home, rented from Cheltenham Borough Council housing, suffered terrible subsidence. My home had to be underpinned, the contractors told me the cost was in the region of £11,000, that was in the late 90's. I had to leave my home for nearly a month, whilst the entire ground floor was stripped out, dug out for new foundations, and tons of concrete pumped under the house. It was a very distressing time. My home is to be inspected again, on the 27th July, for roof movement, and another crack appearing in the walls of my home.

The house opposite me also had subsidence, and had to be under pinned and 2 exterior walls rebuilt.

Further down, in the next road on the estate, my friends Mother, who had bought her home off the council, also had extensive subsidence. Unfortunately, this lady lost her home, taking a very substantial loss financially, unable to pay for under pinning.

I believe there will be other homes on the estate not known to me which has and is experiencing the natural geological process of earth and ground movement, which even house developers long term will not be able to hold back, no matter what the pending developers say, who wish to build on the rise. This is proven by homes going through the continued subsidence, which I am sure at the time of previous building developments, reinsurance was given then, only to be proved wrong.

Far from stripping away the flora, in the meadow, it's timeless roots through, ancient oaks and trees, meadows and plant life, should be retained, and yet more trees planted, to aid in the uptake of natural springs, and flooding water, which is also a on-going problem, enough that flood defence has been built. Again I have friends who have since sold their homes to the distress this problem has caused on the estate.

The established community of home owners, and rented property, should not be put at any more further geological antagonism. The cost would be unthinkable, in terms of financial subsidence cost, possible loss of home, depression, anxiety etc.

So serious is the factual problem we already live with here, I propose that a rigorous survey of all house holds in our area to be carried out, with new updates of this problem, And a independent scientific study done again.

2 Ancient organic Meadow, dating to Medieval times and back.

My experience with wildlife. Years of volunteering at Vale Wildlife Hospital. Qualified Hedgehog first aider . Promoting Hedgehog conservation in Ewen's Farm Estate. As we have a good population here, due to the Meadow. Badger conservation, and protection of rare and dwindling species.

Oakhurst Rise holds a unique symbiosis of species of flora and fauna. Many on the protection list legally. Despite the cbc enlisting a ecologist, who says there is no badger activity in the rise, is in direct contrast to continued Badger excavation of sett on going. Bedding material in and out of sett, which can be witnessed and observed by local people, and now the involvement of the Badger Trust I am sending photos from last week showing Badger activity.. Rare species of bats, nesting sites, Rare Raptors, including the Red Kite among others. Meadow flowers and butterflies. Ancient Oaks, desperately needing protection, against the Oaks dying of disease in our country.

We need the wildlife, who help stabilise this environment. Nature holds the wisdom to survival, and there is a reason why Badgers have built here over the last thousands years, and not below in the flooding areas.

Please help uphold the rare and diverse species of flora and fauna in the area, because nature is struggling at the cost of money and greed.

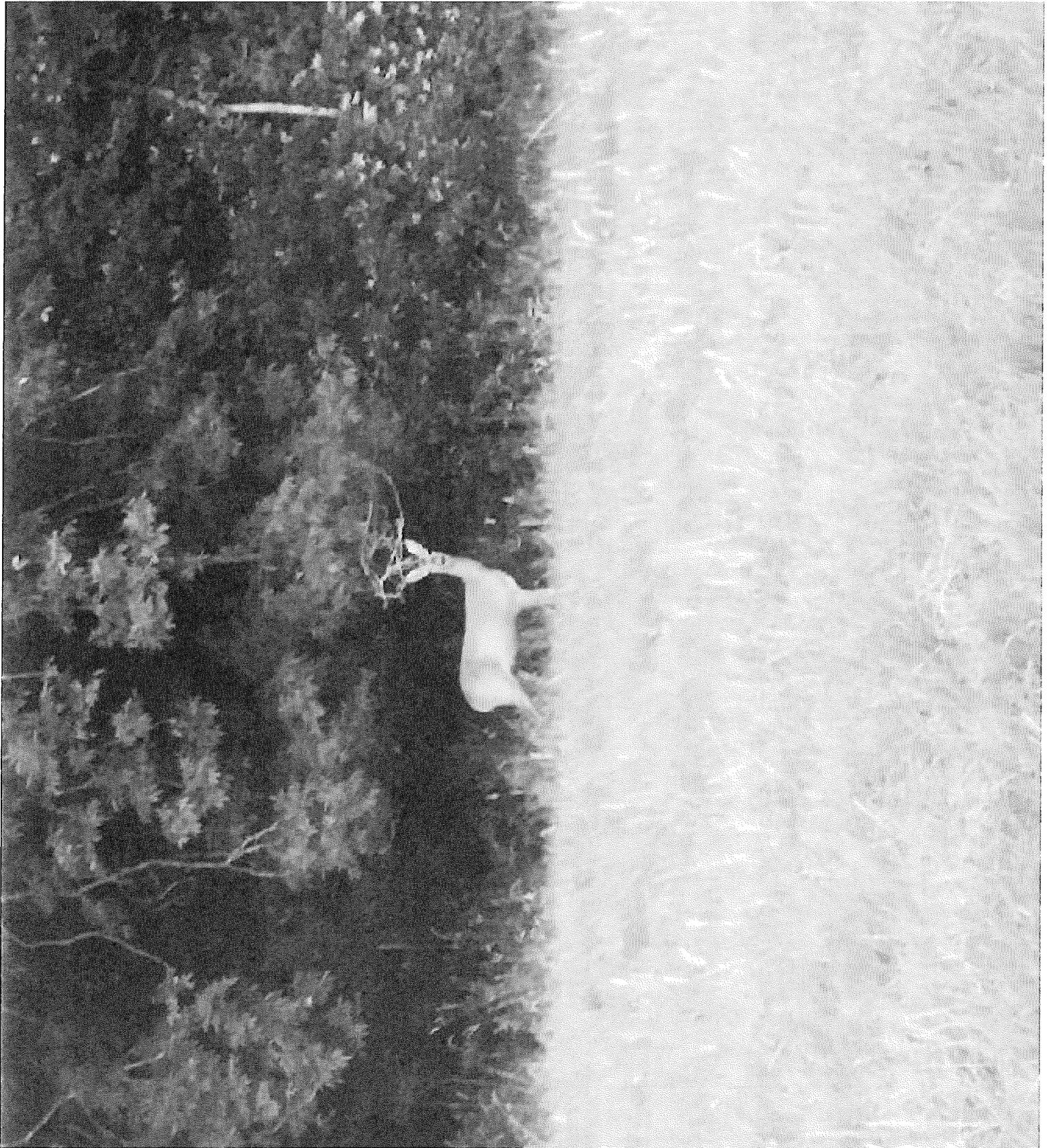
This development is causing so much distress among our community, placing profit before Life .And a distrust of people, knowing that deals are made, and money flowing behind our backs

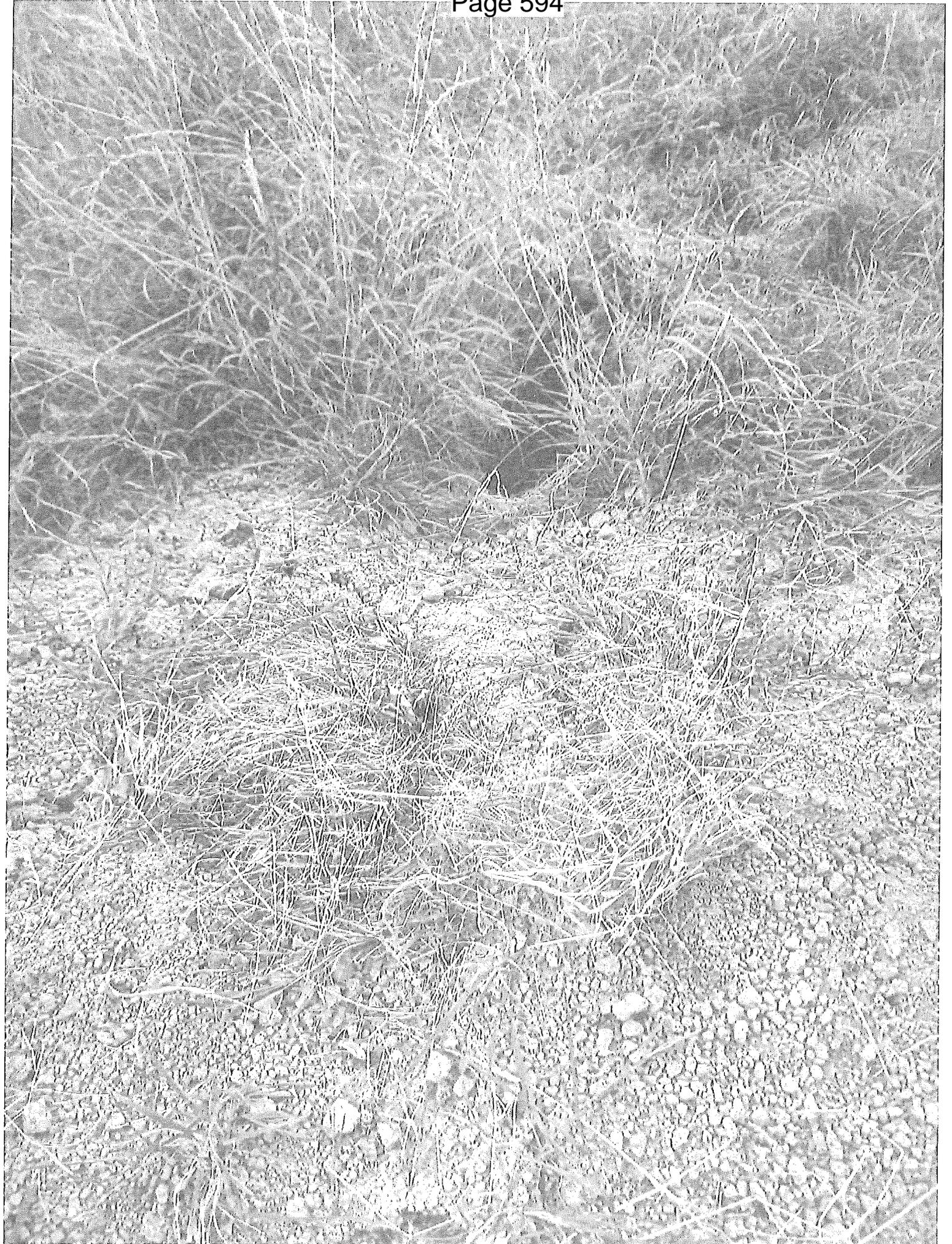
Please speak on my behalf and the community against this, on 19th July 6pm at the municipal planning meeting, about the issues I have raised .

With hope

[REDACTED]
11, Beaufort Road
Charlton Kings
Cheltenham
G152 6JS
[REDACTED]









The School Bursary
Cirencester Road
Charlton Kings
Cheltenham GL53 8EY

Michelle Payne
Senior Planning Officer (Applications)
Cheltenham Borough Council
Place and Economic Development
Promenade
Cheltenham
GL50 9SA

13th July 2018

Dear Ms Payne,

RE: Land off Oakhurst Rise, Charlton Kings - Planning Ref 17/00710/OUT

I am writing further to my letter of 14th March this year, which explained the School's position in respect of the planning application for the Preparatory School top field.

The Carmelite Charitable Trust (CCT) were the original founders of Whitefriars School, a Catholic boys' grammar school that was one of the predecessors of St Edward's. Members of the Order taught at the School for many years and our school chaplain, [REDACTED] is the last remaining Carmelite brother on the staff. The Order no longer takes an active role in the running of the School, but they remain in close contact with us as our landlords, and continue to support the School. The activities and interests of the CCT and St Edward's School are closely aligned, as they are both committed to Catholic education and the formation of the person, but they are separate entities.

We have been in discussion with the CCT for many months and they have generously offered to transfer the ownership of the majority of the Preparatory School site to the School in return for the release of the top field. This would facilitate the proposed housing development, should planning permission be granted. Having considered this very carefully, the Trustees feel the offer is clearly in the best interests of the School as it represents an unprecedented and unique opportunity to secure the long-term future of St Edward's for the benefit of generations of children to come. The professional advice which we have obtained as required by our charitable status confirms this view. The agreement would also facilitate the ongoing provision of benefits to the community by the School. We have therefore reached a preliminary agreement with the CCT to accept their offer, conditional on planning permission being granted and subject to contract.

We will continue to keep you informed of any further developments as and when they arise.

Yours sincerely,



Chair of Trustees

Company Limited by Guarantee Registered No: 1961978
Registered Office: Cirencester Road, Charlton Kings, Cheltenham GL538EY
Registered Charity No: 293360

Cirencester Road, Charlton Kings, Cheltenham, GL538EY
T: 01242 538620 F: 01242 538621
E: bursary@stedwards.co.uk W: www.stedwards.co.uk

APPLICATION NO: 18/01216/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 16th June 2018	DATE OF EXPIRY: 11th August 2018
WARD: Pittville	PARISH:
APPLICANT:	The Cheltenham Trust
AGENT:	Bignell Shacklady Ewing
LOCATION:	Pittville Recreation Centre, Tommy Taylors Lane, Cheltenham
PROPOSAL:	Installation of new Air Handling Unit plant with associated ducts , to splash pool area.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to Pittville Recreation Centre located on Tommy Taylors Lane.
- 1.2 The applicant is seeking planning permission for the installation of a new air handling unit with associated ducts to serve the splash pool area.
- 1.3 The application is at planning committee as the application has been submitted on behalf of Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Flood Zone 2
Landfill Sites boundary

Relevant Planning History:

No relevant planning history

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

No consultation responses were received.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 The application was advertised by way of a site notice, no letters of representation have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The considerations of this application are the impact on the design and character of the building and its surroundings and any impact on neighbouring amenity.

6.3 Design and impact on surroundings

6.4 The proposal is a relatively small scale addition to the building, however the new unit is to be positioned on to an existing area of flat roof to the front of the building. Whilst officers acknowledge this proposal is at a higher level and may be seen from the public realm, due to its limited scale and the additional storey of the main building behind it, it is not likely that the proposed air handling unit will be particularly prominent and views of it from the public realm will be limited. Given the use of the site as a leisure and recreation centre, plant/equipment in this location would not be an uncommon addition.

6.5 Officers do not consider that the proposal will result in any unacceptable harm to the design of the existing building or any unacceptable harm to the character of the area. The proposal is therefore considered to be compliant with local plan policy CP7 and adopted JCS policy SD4.

6.6 Impact on neighbouring amenity

6.7 Local plan policy CP4 and JCS policy SD14 requires development to protect the amenity of neighbouring land users.

6.8 This application has been discussed with the environmental health officer. Whilst technical specifications of the equipment have been submitted, the environmental health officer requires an acoustic report to be submitted for approval. A condition has therefore been added to ensure that a suitable acoustic report is submitted prior to the first use of the equipment.

7. CONCLUSION AND RECOMMENDATION

7.1 Officer recommendation is to permit the application subject to the conditions set out below;

8. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 its first use, a detailed design and acoustic report to the requirements of BS4142:2014, shall be submitted to and approved in writing by the local authority.

The report shall detail the noise levels from the air handling units and their effects on nearby noise sensitive residential properties.

Reason: To safeguard the amenity of adjoining properties and the general locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).