



Notice of a meeting of Planning Committee

**Thursday, 20 December 2018
6.00 pm**

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 - 22)
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **18/02097/FUL 252 Bath Road** (Pages 23 - 90)
 - b) **18/02215/FUL Playing Field adjacent to 10 Stone
Crescent** (Pages 91 - 166)
 - c) **18/01973/FUL Dowty House** (Pages 167 - 208)
 - d) **18/01812/CONDIT 42 Riverview Way** (Pages 209 - 216)
 - e) **18/01869/CONDIT Lypiatt Lodge** (Pages 217 - 224)

- f) 18/02136/LBC Pittville Pump Room (Pages 225 - 232)
- g) 18/02137/FUL 3 Harvest Street (Pages 233 - 238)
- h) 18/02186/FUL 245 Prestbury Road (Pages 239 - 250)

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

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

22nd November 2018

Present:

Members (11)

Councillors Baker, Vice-Chair (PB); Atherstone (VA); Barrell (DB); Collins (MC); Cooke (SC); Fisher (BF); Oliver (TO); Seacome (DS); Wheeler (SW).

Substitutes: Councillor Rowena Hay (RH)
Councillor Roger Whyborn (RW)

Officers

Michelle Payne, Senior Planning Officer (MP)
Emma Pickernell, Senior Planning Officer (EP)
Joe Seymour, Senior Planning Officer (JS)
Ben Hawkes, Planning Officer (BH)
Nikita Hooper, Conservation Officer (NH)
Nick Jonathan, Legal Officer (NJ)
Simeon Manley, Acting Head of Planning (SM)

1. Apologies

Councillors Barnes, McCloskey, Hobley and Hegenbarth (LibDem)
Councillor Payne (PAB)

2. Declarations of interest

- i. **18/01940/FUL** Garages to the rear of Mercian Court
Councillor Barrell – is a member of SPJARA committee, but not involved in any discussions about planning applications.

3. Declarations of independent site visits

- i. **18/01776/FUL** Cromwell Court; **18/01940/FUL** Garages to the rear of Mercian Court
Councillor Fisher visited both these sites independently.

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 18th October 2018 be approved and signed as a correct record with the following correction:

Page 4, Paragraph 3, line 7

-:He reported that they had lost 3000 **30,000** sq. ft of office space to residential in the town...

6. Planning applications

Application Number:	18/01620/FUL
Location:	Wellesbourne, Oakfield Street
Proposal:	Single storey rear extension (part retrospective)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Refuse
Letters of Rep: 4	Update Report: None

Officer introduction:

EP reminded Members that this application was at Committee last month and was deferred, due to concerns over the scheme, in particular the bi-fold doors to the side elevation. The applicant has revised the scheme, replacing the bi-fold doors with non-opening glazing, to be fixed shut. This will avoid potential noise and disturbance from the doors being open and shut, and the officer recommendation is therefore to permit.

Public Speaking:

Neighbour, in objection

Is sorry that this application is back at Committee this evening. Had hoped that last month's decision would lead to a dialogue which should have taken place in the summer, before the extension was built without planning permission, and a solution fair to all parties could be found. There has been no negotiation or discussion, just an email from the case officer advising what the applicant intends to do. Members expressed significant concerns about the development and its impact at the last meeting, but none of the issues have been addressed by the applicant – the only alteration to the design is that the side windows will not be openable. However, as the case officer states, a current or future owner could apply to remove the condition in order for these windows to become openable. And with the large opening in the side elevation, there is nothing stopping anyone from opening the windows and turning them into bi-fold doors at any time – will live in anticipation of being in the same position all over again, needing the Committee or Enforcement Officer, if the work were to be done without permission, to protect her privacy. This is not an acceptable solution, and cannot feel reassured by the current proposal in any way.

Is at a loss to understand the necessity for 3.5m floor to ceiling windows in a side elevation, one metre from a 6ft fence. How much light will this achieve? There are other ways to maximise light without affecting neighbouring amenity. This is the wrong design for a terrace. There should be no glazing, bi-fold doors or large windows in a side elevation close to neighbour's amenity space. Its size, height, thickness and overhang of the roof less than 1m from her boundary, add cumulatively to the unacceptable impact of the development. It fails Local Plan policies CP4 and CP7. Asks Members to refuse the application, and not let this inconsiderate development set a poor precedent for the area.

Mr Potente, applicant, in support

Has 45 years' experience in the building industry, and has gained respect and a reputation for working with honesty and integrity for a number of major companies. Has many glowing references which support and confirm this, and can be considered as testament of his professionalism and good character. Has worked alongside these architects, designers, surveyors and project managers, but , planning and licensing applications are not part of his remit – apologies for his naivety regarding local planning regulations. Did not intend to avoid planning, but believed the advice from a building inspector and acted in good faith. On 23rd June, invited neighbour at 1 Oakfield Street to look at plans for extension, showing the siting of the proposal to be carried out under permitted development. The meeting ended amicably, with no objection from the neighbour. Has now considered the neighbour's objections as follows: regarding noise/smells from the bi-fold doors, will omit the bi-fold doors, reduce the structural opening by 50%, and fit a non-opening, glazed window to retain much needed light; regarding the size of the extension, there are many similar ones existing in Tivoli, it is the safe roof height and projection as the adjoining neighbour's extension. In good faith, has no wish to cause neighbour any more noise and smell than any other single-occupancy resident, just everyday acceptable levels. Finally, for clarity, has rigidly followed the advice of the officer in the amendments made, hence the recommendation to permit.

Councillor Harman, in objection

Thanked the Committee for the opportunity to speak, saying that in his 6½ years as a councillor, this one of the most disturbing applications he has come across. This is a retrospective application from an applicant with 45 years' experience in the building trade who yet was not aware of planning rules – surely he should understand the system. There was no consultation with neighbours before the first brick was laid, and hopes that Members of Committee who viewed the site on Planning View will confirm that this proposal has a significant impact on the property next door. Retrospective applications are difficult, but this seems like a breach of faith. So where are we from a practical point of view? Would like Committee to have the courage to reject the application, not least to avoid giving the wrong signal to others, but if Members feel they must approve, they must look seriously at conditions for a long-term sustainable solution. Is the proposal for window or door? When is window not a window, a door not a door? The proposed non-opening window would be easily converted into opening doors or windows, which would impair the neighbour's privacy. It would be difficult to realistically control whether they were opened or no. Hopes Committee will not consider this proposal lightly; they should seriously consider a refusal or, if not, insist on conditions to protect the residents at No. 1 Oakfield Street from significant encroachment.

Member debate:

SW: for clarification, was told on site view that the bi-fold door on the side were now to be windows fixed shut? This was the main bone of contention last time. Finds it odd that someone would want bi-fold doors on that face of the building - this is up to them but the imposition on the neighbour is not good. Are the bi-fold doors to remain or be put elsewhere?

EP, in response:

- The side elevation opening is the same as before, but the glazing is fixed shut and there is a suggested condition to control that. The window is not capable of being opened.

DB: is very disappointed that the applicant and neighbour have not been able to come to an agreement about this. They have had no discussions on the subject. Can officers confirm – are we still talking about separate glass panels or one piece of glass? How easily can it be turned into doors or something that can be opened?

EP, in response:

- The window is made up of individual panes of glass in frames. They are fixed shut and non-openable, by condition. If the applicant wanted to change this, he would need to apply to vary the condition.

BF: paragraph 6.7 of the officer report quotes Local Plan policy CP7 that 'the most important consideration is that an extension should not detract from the original dwelling', and at paragraph 6.13 states that JCS policy SD14 stipulates that development should not cause unacceptable harm to the amenity of neighbouring properties, supported through Local Plan policy CP4. Privacy and adequate daylight are also two of the basic design principles of the SPD. Still thinks that this proposal detracts from the neighbouring amenity.

MC: having consulted with the applicant and given advice, has the applicant taken on board the advice given by the officer? The officer talks about controlling the current design by condition, but exactly what words would form that condition? Is seeking assurance that the condition will be enforceable.

PB: the condition is in the report – 'the proposed glazing shown to the side (north) elevation shall be fixed shut and non-opening at all times'.

MC: but is this enforceable? If so, by whom?

PB: by this authority – planning enforcement officers – like any other condition.

BF: would just remind Members that all conditions are appealable.

SC: this is not only a difficult case but also a retrospective application. Finds it astonishing that two people living so close to each other didn't even discuss the proposal beforehand. Has suspicions about the process, but the biggest bone of contention remains the side window in the north-facing wall, 1m away from the neighbour's wall. Finds this bizarre; it cannot be needed for light, on this north-facing wall. If more light was needed, a roof light would be the obvious solution. This extension is much larger than the house extends at the back; it should be subservient, but is as wide as the original house. The proposal detracts from the amenity of the neighbour. It is illogical to suggest the applicant has to have this window in this side for light. Suspects there could be a hidden agenda, and it could be converted back to a door in the future.

PB: it isn't for Members to decide what the applicant wants, and there is no doubt that the proposed window will give light. And Members should not let the fact that this is a retrospective application cloud their judgement.

Vote on officer recommendation to permit

2 in support

7 in objection

2 abstentions

NOT CARRIED

PB: as Members have voted against officer recommendation to permit, someone will need to move to refuse, with policy reasons.

BF: suggests CP4 for the loss of neighbouring amenity, and CP7 for design – although this is also causing problems for the neighbour. Is open to other suggestions.

EP, in response:

- CP4 is concerned with amenity issues, and also design. Members mentioned subservience, and scale of the extension in relation to the original house. Amenity covers concerns about windows and glazing, and also privacy;
- Loss of amenity and design are the two main issues – officers can craft refusal reasons around this.

Vote on BF's move to refuse on CP4 and CP7

7 in support

1 in objection

3 abstentions

CARRIED - REFUSE

Application Number:	18/00872/FUL
Location:	Kingsditch Retail Park, Kingsditch Lane, Cheltenham
Proposal:	Erection of two new retail units (Class A1) and associated works
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	0
Update Report:	None

Officer introduction:

MP informed Members that the application is for two new retail units following the demolition of a vacant industrial unit, and the application site also includes part of Kingsditch Industrial Estate in Malmesbury Road. The two units will be situated between M&S Home and M&S Foodhall, creating 2,138 square metres of new retail floor space. Officers are satisfied that the land will retain its employment use, in accordance with the emerging Local Plan, and that the design is appropriate within the context. Highways officers have raised no objections. The application is at Committee because of an objection from Swindon Village Parish Council.

Public Speaking:**Mr Sobic, agent, in support**

Would echo the officer's comments, and request that Committee approve the proposal. The applicants have worked positively with officers at pre-app stage and throughout the application, to ensure the most appropriate development. All technical consultees consider the proposal to be acceptable, including the Architects' Panel, which considers it to be better use of the existing space, and an enhancement of the area. The proposal complies with all retail/employment policies. There is a strong demand for retail floor space and new retail stores, and this will assist in meeting that need. The matters raised by the parish council have been addressed; the proposal doesn't harm the neighbouring premises, which are also owned by the applicant. The scheme has regenerative benefits, representing an investment in Cheltenham of £1.75m, offering 32 full- and part-time jobs, contributing £650k in wage generation, and approximately £380k in business rates for the council. To sum up, it is a well-designed proposal, with positive benefits, will improve the site, finish the retail park, and provide employment for Cheltenham.

Member debate:

PB: considers this an excellent application. It will enhance that end of the retail estate – was amazed how busy it was, even on a Tuesday afternoon when Members visited on Planning View. It will be a real boost, bring additional business rates to the town. A condition is included to ensure the new

stores cannot have uses which will conflict with town centre uses. The scheme has his full support. Notes the officer comment about trees.

SC: also considers this a good scheme, and an improvement to the site. Would just like to make a comment, in view of the officer description and several comments referring to alternative means of travel. This type of development is a car destination. There is mention of alternative ways of travel, but this is the type of place most people will go to by car. It is a pity that more effort is not made to make this sort of development more attractive and easy to use for non-drivers. For cyclists, it is unwelcoming; for pedestrians, it is very difficult to access. There is scope for charging electric vehicles, which is great, but these are just another type of vehicle. We should support the proposal, but it is disappointingly car-orientated, and will draw people away from the town centre.

PB: it is the nature of this kind of development. Cycle racks are provided.

MP, in response:

- Trees are proposed as part of the development. There is a lot of existing landscaping, including along Kingsditch Lane – this will be retained, together with new pockets of landscaping. Trees officer has looked at these plans and is happy with the proposal;
- To SC, as PB has said, cycling racks are included, but it is should not be held against the applicant that people will generally drive to the site rather than cycle.

Vote on officer recommendation to permit

11 in support – unanimous

PERMIT

Application Number:	18/01555/FUL
Location:	76 Hales Road, Cheltenham
Proposal:	Rear and side lower ground and ground floor extension
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	3
Update Report:	(Photos of site, provided by speaker)

Officer introduction:

EP said this is an application for a ground and lower ground floor extension at 76 Hales Road. The officer has sought revisions to the original scheme, and now feels that the design is acceptable and impact on neighbouring properties minimal. The application is at Planning Committee at the request of Councillor Jordan.

Public Speaking:

Neighbour, in objection

Is generally not against anyone improving their homes, and believes they should be allowed to do so; does not like being a difficult neighbour. However, this proposal will impact on neighbours at 29 Kings Road and two other adjacent properties, by its scale, proximity, and impact on light levels, as well as the impact in conservation area. Firstly, it is a large and high extension, close to his property – 4.5m high, extending 2.2m, 0.5m from the boundary with his property – an imposing edifice, which he considers to be overly large and bulky, and inappropriate in design. Some changes have been made to the original proposal, but the extension is still very large. Secondly, the proposal will impact on his patio and seating area which will be overlooked. The proposed cedar cladding will not mitigate this. The officer report states that there is already an element of overlooking between the application site and the neighbouring property and extending 2m further into the site will not make the impact any

worse. Disagrees with this – the privacy of his living space will be compromised, and not feel like his own space any more – and there will be loss of light and loss of privacy. Finally, the buildings are in a conservation area, and should be preserved and enhanced. Both his own and the applicant's houses are in a prominent position in the conservation area, close to No. 80 which is identified as historically significant in the Sydenham Character Appraisal and Management plan. Development should enhance and preserve the area, but the proposal will appear out of place, includes uPVC windows of a different style to the original, and could undermine some established and thriving trees.

Member debate:

BF: the objector has made a lot of points about loss of light. Can officers confirm that the proposal passes the light test in every position?

EP, in response:

- With regard to the neighbour's basement, the existing structure already results in a failure of the light test. However, the neighbour's ground floor accommodation passes the light test.

SC: looking at the drawings doesn't give a true impression of the height above the ground of the proposed extension. It is a large, looming building for the neighbour, not only in his basement, but also on the ground floor. This is a very, very large structure a few metres from the boundary. Has great sympathy with the objector for the loss of amenity.

PB: visited the site on Planning View. This is one of those really difficult applications to decide, but as the applicant has reduced the size of the original proposal, and it is a well-designed scheme, will vote in support.

Vote on officer recommendation to permit

9 in support

2 in objection

PERMIT

Application Number:	18/01776/FUL
Location:	Cromwell Court, Greenway Lane, Charlton Kings
Proposal:	Sub-division of existing dwelling into 8 apartment units
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	6
Update Report:	None

Officer introduction:

JS introduced the application as above, referred to Planning Committee at the request of Councillor McCloskey. The recommendation is to permit, for the reasons set out in the officer report.

Public Speaking:

None.

Member debate:

SW: originally did not think much of this application, but on seeing the building on Planning View, and how it was to be sub-divided, felt it to be a really good use of big property, providing much better accommodation for more people.

BF: it says in the report that parking for residents will be located on the existing hardstanding to the front of the building, but is there any additional parking? There could be 16 cars, two per flat. This is a large building, although not listed – when it was built, it was the largest property in Cheltenham since World War II. A lot of work has been done at the site without planning permission, which planning enforcement officers are following up, but does not feel this proposal is the right thing to do with a house of this proportion, in the AONB. It should be preserved as a single dwelling – this would do less harm than converting it to eight dwellings.

JS, in response:

- Space exists for a large number of cars; the question is whether, in itself, parking in front of a property in the AONB is harmful. Concluded that parking is not inherently harmful, and as other aspects of highway safety are acceptable, the recommendation is to permit.
- Any unauthorised development of the site is not relevant to the determination of this planning application.

BF: what about bin storage? Visited the site and could not see from the outside whether this is adequately covered.

JS, in response:

- Yes, bin storage is proposed. It can be seen on one of the drawings.

MC: agrees with SW – this is better use of one very big house, sub-dividing it into several dwellings. On Planning View, noted the access was down a narrow road, and there are a couple of references to visibility splays in the report. The Highways officer has said these will need to be maintained. Who will be responsible for the maintenance, with eight sets of accommodation on site?

RW: it is difficult to see any valid reason not to permit this proposal, especially as there is no change to the external building. Notes that the plan shows 14 car parking spaces – this doesn't sound unreasonable to him. The proposal feels like good use in planning terms, and goes towards meeting Cheltenham's housing needs.

PB: agrees with SW. This is an excellent application. We need more units of this size, and anticipates a very long queue of people to take them up. Regarding visibility and access from the drive, there is a huge splay. Regarding parking, Cheltenham has no parking standards, and some schemes propose far less than what it proposed here.

JS, in response:

- To MC, regarding visibility, it is for the applicant to adhere to Condition 4, to ensure 45m visibility to the left and right out of the junction can be maintained.

Vote on officer recommendation to permit

9 in support

1 in objection

1 abstention

PERMIT

Application Number:	18/01940/FUL
Location:	Garages Rear Of Mercian Court Park Place Cheltenham
Proposal:	Demolition of 12no. lock-up garages and erection of 3no. 2 bed Mews Houses
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	8
Update Report:	None

Officer introduction:

MP introduced the application, at Committee at the request of Councillor Harman due to concerns from local residents. The proposal is for the demolition of 12 garages, to be replaced with three mews-style dwellings. Officers feel this is effective use of a brownfield site, which will enhance the conservation area, cause no harm to neighbouring amenity, and comply with highways requirements. The recommendation is to permit, subject to conditions.

Public Speaking:

Neighbour, in objection

Is speaking as an independent neighbour, summarising the objections and observations of other neighbours as well as himself. Neighbours had come to terms with the previous proposal, permitted in December 2017, for two dwellings with parking on this brownfield site. The latest application is for three houses with no gardens, and will impact neighbouring amenity and privacy, and have traffic implications. These properties have no private amenity space, and will need to keep their wheelie bins and recycling boxes inside to preserve good external appearance, but the garages are so small, there will be no room if a car is parked inside. The result will be either cars parked in front of the houses, or refuse left in the lane – against the development aim to improve and enhance the lane.. The garages are too small for cars and may well be converted in living rooms, increasing the possibility of cars being illegally parked on the lane. Regarding privacy, the existing three cottages were mandated to have frosted glass in their east-facing windows to avoid overlooking the gardens in Painswick Road. The frontal aspect of these cottages is towards Park Place, not the service lane of Ashford Road, and they have no back doors onto the lane. The proposed houses have balconies which will look directly into the kitchen, rear bedrooms and garden of his property. There should be a consistent approach between the existing and proposed cottages. Regarding traffic, a third household will mean an increase in traffic and potential conflict with existing users of the garages and back garden access from the lane. The application states that the garages are disused, but three households represents a significant change of use to the lane, with more air and light pollution from traffic and from the houses. The occupants are likely to have two cars per household, plus deliveries and visitors. There is no room for parking in the lane, but likely that residents and visitors will park on some part of the lane, blocking access for others with legal use of the lane. This needs to be considered and shouldn't be passed off as a civil issue. Finally, Severn Trent says there are no public sewers in the area, but residents understand there is a large mains sewer pipe under the lane, which probably carries outflow from 45-63 Painswick Road. During construction, large trucks bringing heavy materials could damage the lane and sewer, and residents would therefore urge Severn Trent to investigate and reinforce if needed. The risk of flash floods needs to be considered – Severn Trent must build in the lane rainwater soakaway drains that feed into the mains drainage outflow pipes

Agent, in support

There is already extant planning permission for redevelopment of this site with a contemporary housing scheme, the principle of which has been accepted; this application is a fresh look at the same site, with a new applicant and architect. It is more innovative, 'mews house' design approach, and makes more effective use of the site. The proposal meets all CBC's criteria for amenity standards as set out in Policy CP4. The NPPF requires councils to take a more flexible approach when applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making

efficient use of a site. Paragraph 123 of the revised NPPF states that where there is an existing or anticipated shortage of land to meet identified housing needs, it is especially important that planning decisions ensure that developments make optimal use of the potential of each site. Regarding the size of the parking spaces, the recently-permitted scheme had two spaces approximately 2.4 x 5m. This proposal has three garages 2.7 x 5.3m internally, larger than those previously deemed acceptable by the council. In addition, as the report states, this is a sustainable location where no parking would be acceptable. The application has been amended to include integral and convenient bin stores, and the dwelling will provide passive surveillance of an area that currently has little security. To sum up, this proposal enhances the overall design of the extant permission; makes efficient use of the site, in line with planning policy; complies with regard to amenity space; will improve the locality; and provides parking spaces, despite being in a highly sustainable location. It is supported by the Architects Panel, and St Philip's and St James's Area Residents Association recognise its positive contribution to the urban scene. It is a much-improved solution for the site, and urges Members to approve in accordance with officer recommendation.

Member debate:

BF: can officers confirm whether the road is private or a public highway?

MP, in response:

- It is an unadopted road.

DB: is particularly concerned about the size of the garages. It would be possible to get a small car into them, but how long will they actually be used as garages? The whole area has a horrendous for parking situation, and 3-6 more cars will make it a lot worse. If the new residents choose to park in the lane as an alternative, this will cause problems for residents opposite trying to get in and out of their garages in their cars.

Also questions the situation re. parking, and how secure the windows are at the top. Is concerned about Mercian Court, on the other side of the houses; the proposed building is very close to its windows. Will the proposed houses fit in with the height of houses round Mercian Court? Would welcome some clarification.

SW: unfortunately, we no longer have the tool in the toolbox to consider the density of a proposal – if we did, would use it to object to this proposal, as he feels the dwellings are unacceptably small. Regarding the garages, how many people actually park their cars in their garages? These garages are sure to end up as store rooms. The speaker said people will be parking illegally? Can officers confirm whether parking on the road here is illegal?

VA: feels this is a good-looking design and a vast improvement on the garages, but is concerned that the site is being maxed out here re. the number of properties. It's a shame that no additional parking is provided, and that there are no gardens. The original approval for two houses seems like a better solution for such a small space.

BF: basically supports this application. The design is good, better than the previous scheme, and the principle of developing these garages is agreed. There could be problems arising from the fact that this is a private road, and regarding the size of the garages – but there is no set limit for this. It is a ridiculous piece of legislation, not having a set size – but there is room for a mower and a bike. Will support the application as it's better than the previous, and parking isn't an issue for the council as it is a private road.

RW: is disturbed by BF's comments. Feels that the overall design is innovative and makes good use of the land, but is concerned that not enough parking is provided. Even if this is a private road,

parking on it could cause an obstruction so it should be regarded as having no on-street parking available. If that is the case, the issue is whether adequate parking is provided – needs reassurance of this.

DS: took the opportunity on planning view to look into the only open garage, and was horrified by its width. These garages are too small, and it is wrong to think people will use them for their cars. If they have to be this small, it would be better if they were to be additional rooms instead – but realises we are not here to design on the hoof.

SC: shares others members' concern about parking. The garages appear very small on the plan; people won't use them, but will probably have one or two cars per household. They will most likely end up parking outside, creating a potential accident or conflict. The existing users of the garages opposite will have great difficult manoeuvring their cars in and out, and neighbourhood conflict could result. Can officers assure Members that if cars are parked all along the road, the existing residents will be able to get in and out of their garages opposite quite comfortably?

PB: how big are the individual houses? Would there be grounds to refuse on CP7?

MP, in response:

- Members' biggest concern is with parking; the garages are 2.7m wide, and the minimum dimension in guidance is 3m internally – so these are 30cm short. However, we cannot insist on people using their garages for parking;
- The scheme was considered on nil parking standards – there is no minimum requirements in Gloucestershire, and this is a sustainable location, so we cannot insist of parking space being provided;
- If cars are parked immediately in front of the houses – which is unlikely – it is ultimately a civil issue. The applicant has control over the area within the red line, and could park there now should they wish;
- To DB, re privacy and obscure windows, these are only proposed on the rear windows facing Mercian Court– on the front elevation, the windows are clear glazed. This is the same as the extant position, where the windows were considered to be an acceptable distance from the neighbouring gardens;
- Regarding the height of the rear wall in relation to Mercian Court, the section drawing shows the height, and that the upper floor of the property is set away from the boundary;
- The scheme has been revised to introduce a purpose-built bin store, sufficient to accommodate a wheely bin. It is considered reasonable that recycling and household food waste will be stored in the garage.

PB: considers this proposal a great success, well-designed – as described by the Architects' Panel. Land for building is finite in Cheltenham, and this is a fantastic use of a derelict garage site. There could be issues with parking, but this is an unadopted highway.

Vote on officer recommendation to permit

7 in support

3 in objection

1 abstention

PERMIT

Application Number:	18/01947/FUL & LBC		
Location:	61 Pittville Lawn		
Proposal:	Erection of small single storey extension at basement level, minor internal works including reconfiguration of basement layout (part regularisation)		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	Permit		
Letters of Rep:	1	Update Report:	None

Officer introduction:

NH introduced the application for internal changes and a small, single-storey basement-level extension. It is at Committee at the request of Councillor Parsons. Enforcement officers have looked at the site as work has taken place there without consent; a similar application in September 2018 was withdrawn. Regarding the proposal site, officers consider it to be a good example of a basement designed to be a service area, reflecting the clear social and functional divisions within the household and building. This is reflected in the layout and detailing of the basement, and the loss of historic fabric and layout is felt to be unjustified. Solutions have been sought, including a door between the lounge and lobby for internal access – but advice has not been taken, leaving officers with no choice but to refuse, as they consider the harm to outweigh the public benefit of this proposal.

Public Speaking:

Agent, in support

This is a Grade II listed building, part of a terrace of four townhouses built in the early-mid 1800s. The application is part of an ongoing programme of investment and improvement. The majority of works are considered acceptable by officers, with a difference of opinion relating to two elements of the works to the basement, which are designed to improve circulation and outlook: firstly the insertion of a 2.7m opening in the wall between the stair lobby and the lounge, and secondly the part removal of a wall to the basement stair and lobby and insertion of a balustrade. There are many surviving historical features on the upper floors of the property, but few of any significance in the basement, which has been subjected to various works when the building was converted to flats in the 1970s, including the insertion of a concrete floor slab, re-plastering and sub-division of the original plan form in many of the rooms. Parts of the existing partition between the stair lobby and rear basement room have been significantly altered, with the insertion of block work in places. There are significant material considerations and heritage benefits overlooked in the officer report. The adjoining building at 59 Pittville Lawn gained listed building consent for very similar works at basement level, with the officer report noting that the basement had been heavily altered, and the approved plans showing virtually identical alterations to those proposed by the application at No 61. The two houses are part of the same listing, so the works to No.61 should be acceptable. The changes to the plan form will reinstate the original proportions of the front basement room, through removal of modern partitions, and integrate the basement level in a beneficial way with the rest of the house. The boiler room will be located at the lower ground floor, allowing relocation of the existing boiler to improve the layout and bring the existing hallway back into residential occupation. Finally, the basement ceiling has been over-plastered with modern 'artex' plasterwork, which is proposed to be re-plastered and reinstated sympathetically. It is notable that there are no neighbour objections from neighbours. In conclusion, the overall programme of works provide an appropriate balance of retaining and enhancing the plan form of the property, and will bring back a number of areas of the basement into long-term beneficial use. The proposals accord with the NPPF and Local Plan in relation to protecting heritage assets whilst maintaining the building in its optimal viable, residential use as a single family dwelling

Councillor Parsons, in support

For anyone who remembers the television programme *Upstairs, Downstairs*, this house dates from that period, where servants worked in the basement. The house has gone through several changes in the intervening 200 years, including some quite drastic alterations, and the addition of a number of partitions when the house was divided into flats. This proposal takes away much of the 1970s alterations, and restores the original shape and form, as the original house was meant to be. The changes have a mixed effect – some restore, some are more questionable, opening up the lobby and lounge. The officer suggests that there would most likely have been a standard-width door between the lobby and the lounge, but from chipping at the plaster to see what is beneath, it hasn't been possible to find anything indicating a door through from lounge to lobby, or whether this went all the way to the ceiling. It is difficult to know what is original and what is new. Each case must be judged on its own merits, but it is difficult to ignore what has gone before and ask why a planning officer in the past felt it was OK to take down the same wall at No. 59. If it was OK then, it is still OK today. Is supportive of this proposal, does not feel the balance to be negative, and knows that the applicant is spending a lot of money in restoring the whole of this house to its former glory, including the basement.

Member debate:

PB: thanked Councillor Parsons for this eloquent explanation – it was quite difficult to understand on paper.

BF: obviously this has to be an 'on-balance' decision. The report refers to 'what appears to be' a historic wall – is it or isn't it? It is very difficult with old properties; many were knocked about in the 50s and 60s, and to find what was there originally isn't easy. A lath and plaster ceiling has already been lost here and cannot be restored, but can be made good with a new ceiling. On balance, can be persuaded to vote for it.

DB: a lot of work has already been undertaken on this property, and it seems a ridiculous situation to have to go into the back yard in order to get into the basement. It makes it non-functional as a whole house at the moment. By doing these alterations, the applicant is trying to get back to a whole house as it was originally. There would have been two large rooms in the basement – this is what the applicant wants to get back to. It's unfortunate that we can't see how it was originally, but these alterations will go some way towards achieving this. If it takes these changes to make it work as a full house again, that is good.

SW: always struggles with listed building applications. Half of him says yes, let's do it, make a better building, but is always equally concerned that we should listen carefully to what the conservation officer is saying, to avoid listed buildings being altered beyond recognition, just because a particular proposal works well at the time. Is pleased with a lot of the work being proposed, including the removal of the 1970s alterations, and putting the house back to how it was; and how did people get from the lounge to the lobby? Officers have suggested that a doorway through from the lobby would be acceptable, but knocking the whole wall out would be a step too far. We should listen to our conservation officers, and not just go along with what makes it more attractive for the applicant. Likes the work done so far, but is listening carefully to the conservation officer. It wouldn't take much to go a step too far, and change what was a historic building beyond recognition.

NH, in response:

- To BF, regarding the reference in the report to what 'appears to be' a historic wall – it is difficult to tell what is or isn't historic, and various methods are used, including the width of the wall and the materials used. Some of the plaster has been taken off to reveal 3-4 breeze blocks, but the rest appears to be historic brick;

- Regarding the lath and plaster removed from the lobby area, this can be reinstated, using horsehair, lime and plaster, and the right tradesman.

PB: this is a difficult application. The conservation officer is spot on in saying that Cheltenham is proud of its historic buildings, but buildings must evolve. Agrees with DB: the house as it stands presently doesn't work. Will therefore reluctantly support the application.

RW: agrees that this is difficult. Has been listening to all the details discussed, and appreciates that it is an 'on-balance' recommendation. At paragraph 7.1 in his report, the officer states that the 'less than substantial harm...is not outweighed by any public benefit'. Struggles with this – if the owner can restore to a full house what was formerly flats, this must be considered a public benefit. There has already been a great deal of development here, and added to that must be the sense of evolution – is leaning towards supporting the scheme. It would be a shame to turn down a good scheme because of what is in the basement. Feels there is a very strong case to support this, in view of everything that has been done before; these buildings should not be pickled in aspic.

Vote on officer recommendation to refuse

1 in support

10 in objection

NOT CARRIED

Vote on 18/0029292./LBC to permit

10 in support

1 in object

PERMIT

Vote on 18/2902348924/FUL to permit

10 in support

1 in objection

PERMIT

Both decisions will be delegated back to the officers to work out conditions, in conjunction with the Chair and Vice-Chair.

Application Number:	18/01962/FUL
Location:	1 Finchcroft Lane
Proposal:	Rear extension to existing dwelling
View:	Yes
Officer Recommendation:	Refuse
Committee Decision:	Permit
Letters of Rep:	3
Update Report:	None

Officer introduction:

BH told Members that this proposal for a two-storey addition to the front of the house followed a recent permitted application, where revisions were sought to remove the proposed single storey. Councillor Payne, who requested the application be brought to Committee, considers that the proposal adds character to an otherwise bland proposal, but officers consider that it will harm the street scene. Their recommendation is therefore to refuse.

Public Speaking:

Applicant, in support

Moved to the property six years ago, as a long-term family home. The property was tired and in need of significant repairs; has invested a great deal of time and effort in extensive restoration to get the house to its current condition. Loves the area, and would like to stay here as long as possible. Neighbours are supportive, and the Parish Council is happy with the scheme. Would not propose anything which would damage the neighbourhood, streetscene or house itself. It is an unusual house, with the main and original door facing the garden; the door to Finchcroft Lane is not used or accessible, and with the drive and access of Noverton Lane, the house is naturally accessed from that side. Is asking for one change to the existing permission – the provision of a first floor above an already approved ground floor extension, with gabled roof to match the existing house. The planning officer acknowledges that whether or not this is a front or rear extension isn't the issue; it states that the extension will not be subservient to the main house and will dominate the west elevation. In fact, the gables are lower than the existing main roof, the proposal will not add to the footprint, and will be no closer to the road than what is already approved. Therefore feels that the extension is subservient, and that the design represents continuity of the original building and previous developments. Due to previous alterations, there are different stairs and varying levels in the house, making space quite inefficient. The extension will help the house to function better as a family home. If it was harmful to the streetscene, there would have been at least one objection, or objection from the Parish Council, but there have been neither. The guidelines in the SPD are only guidelines, not policy or rules. The house is unusual and different from the more standard type of housing covered by the SPD – it would be impossible for the SPD to cover all scenarios. Considering all these points, feels that the extension is appropriate to the house and streetscene.

Member debate:

SW: supports officers on this; has no truck with whether it is a front or rear extension. It is a fact that the footprint is the same – doesn't like the idea of ground floor coming out, but cannot change that. But with the second storey and two more gables, the extension is certainly not subservient – the result appears far too muddled. We have to accept ground floor extension – that already has planning permission – but two more gables, well forward of original building is too much. Cannot support the application.

BF: tempted to say 'here we go again' with subservience. This proposal is clearly not an architectural gem. The house is a stock build of the 1960s, which has been much altered. Houses evolve over time, and it is the personal choice of the owners as to how this happens. These owners need more space. Finds it very difficult to vote against this application, and will need more persuading in order to do so.

TO: doesn't see how this can be described as subservient. Cannot support it – it looks ugly.

Vote on officer recommendation to refuse

5 in support

5 in objection

1 abstention

PB: this is another tricky application. Does consider the proposal to be subservient – the rooflines are lower. The house is evolving, and doesn't work as it is. Doesn't agree that it is ugly, although it is not the best design. Notes that the Parish Council has made no comment, and that the ward councillors are supportive. Will therefore use his casting vote as Chairman to reject the officer recommendation and support the proposal.

PERMIT, subject to conditions to be worked out by officers, in agreement with Chair and Vice-Chair.

Application Number:	18/02055/FUL		
Location:	31 Copt Elm Close		
Proposal:	Proposed two-storey front extension and loft conversion with front and rear dormers		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	1	Update Report:	None

Officer introduction:

BH introduced the application as above, at Planning Committee at the request of Councillor McCloskey, due to the potential impact on the view and on the neighbouring property in Copt Elm Road. The officer recommendation is to permit.

Public Speaking:

None.

Member debate:

PB: on Planning View, thought that this is an excellent design. Does not feel that overlooking is a problem, nor that it is particularly overbearing on neighbouring property – these are therefore not reasonable planning grounds to refuse.

Vote on officer recommendation to permit

11 in support – unanimous

PERMIT

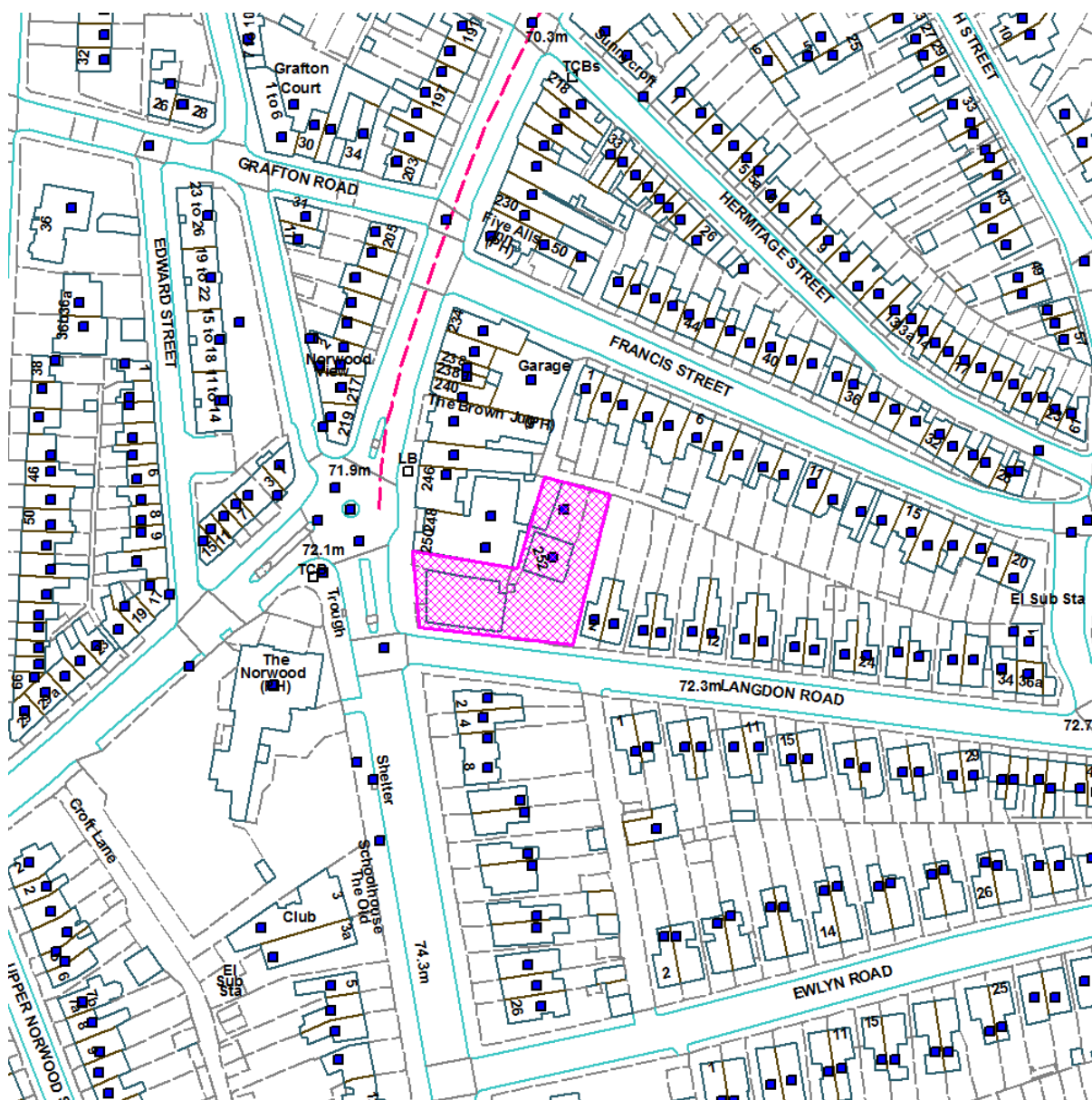
7. Any other business

SW: on the recent Completed Schemes Tour, several Members were concerned about the finish on some of the more expensive properties. Recently went to visit the new CBH properties in Newton Road, and would just like to say that the design and finish on these are amazing. This is social housing, and all the detail – mitres, wood grain etc – is done to perfection. Full marks to CBH and the builder. If only all buildings were finished like that!

The meeting ended at 7.45pm.

APPLICATION NO: 18/02097/FUL	OFFICER: Mr Joe Seymour
DATE REGISTERED: 16th October 2018	DATE OF EXPIRY: 11th December 2018
DATE VALIDATED: 16th October 2018	DATE OF SITE VISIT: 30th October 2018
WARD: College	PARISH:
APPLICANT:	Mr And Mrs Paul Artus
AGENT:	Evans Jones Ltd
LOCATION:	252 Bath Road, Cheltenham, Gloucestershire
PROPOSAL:	Mixed use development comprising 8 flats (Class C3) on upper floors and a retail unit for flexible use as shop (Class A1) / restaurant, cafe (Class A3) on the ground floor.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site contains a retail unit known as Cheltenham Market and a two-storey dwelling. The site is situated on the intersection between Bath Road and Langdon Road. The market predominantly consists of a single storey portal-framed structure akin to a greenhouse, with an outdoor sales area to the rear which can be seen from Langdon Road. The dwelling is set back further into the site with its principal elevation facing south towards Langdon Road.
- 1.2 The site is located in a prominent location on a roundabout that forms the junction between Shurdington Road, Bath Road and Leckhampton Road. The site is located within the Bath Road Character Area of Cheltenham's Central Conservation Area. There are no listed buildings within the vicinity of the site.
- 1.3 The proposal would involve the demolition of the market buildings and the two-storey dwelling followed by the construction of a three-storey mixed use building consisting of a commercial unit on the ground floor (flexible A1 retail / A3 café use) and 8 flats on the first and second storeys. A parking area would be located to the rear of the site (in the position of the existing dwelling) accommodating 8 parking spaces for the occupants of the flats.
- 1.4 This application has been referred to the Planning Committee for determination by Cllr Klara Sudbury because of concerns about the impact on the street scene in Langdon Road due to the height, mass and design of the building.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
District Shopping Area
Smoke Control Order

Relevant Planning History:

93/00617/PF 29th July 1993 PERMIT

Erection of Rear Single Storey Storage Facility (Retrospective)

96/01068/PF 20th February 1997 PERMIT

Replacement Roof to Covered Display Area

97/00255/PF 26th June 1997 PERMIT

Proposed Replacement Roof to Covered Display Area (Amendment to Previous Scheme)

06/00551/FUL 6th June 2006 PERMIT

Erection of canopy to shopfront (retrospective)

14/01838/PREAPP 20th August 2015 CLOSED

Proposed site redevelopment to provide retail use at ground floor level and residential above

16/01515/FUL 29th May 2018 REFUSE

Regeneration of site to provide replacement retail at ground floor (flexible A1/A3 use), 7no. apartments over, 1no. end terrace house and a detached dwelling to the rear (Revised scheme)

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 6 Mixed use development
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
GE 7 Accommodation and protection of natural features
EM 2 Safeguarding of employment land
RT 1 Location of retail development
RT 4 Retail development in local shopping centres
RT 5 Non-A1 uses in local shopping centres
RC 7 Amenity space in housing developments

Adopted Joint Core Strategy Policies

SP1 The Need for New Development
SP2 Distribution of New Development
SD1 Employment - Except Retail Development
SD2 Retail and City / Town Centres
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD10 Residential Development
SD11 Housing Mix and Standards
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Central conservation area: Bath Road Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework (NPPF)

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

4th December 2018

I refer to the above application received on the 25th October 2018 submitted with application form, design and access statement, planning statement, site location and block plan ref PL001, proposed ground floor plan ref PL004 and revised proposed ground floor plan ref PL004 B.

The proposed is subject to a mixed use development comprising 8 flats (Class C3) on upper floors and a retail unit for flexible use as shop (Class A1) / restaurant, cafe (Class A3) on the ground floor at 252 Bath Road Cheltenham. The development is located adjacent to Leckhampton Road to the East and Langdon Road to the South, both subject to a sign posted limit of 30mph. It comprises close walking and cycling proximities to various amenities and access points to sustainable means of transport. Access will be located adjacent to Langdon Road, with an entrance point 4.8m wide with a segregated 2m wide pedestrian corridor. Visibility splays are perceived subject to 2.4m x 29m to the right of the access towards Leckhampton Road junction and 54m to the left to Langdon Road. Parking

layout comprises a 2m wide demarked pedestrian corridor and a turning head to enable vehicles to leave the premises in forward gear. No on-site parking is currently provided for the existing retail use of the site, nor has any been proposed for the proposed retail use. It is reasonable to assume that there will be no material increase in trip generations to the site compared to that of its previous full operative uses.

There has been no accident data recorded in the past 5 years as a result of on street parking. There appears to be no inherent highway safety concern with the levels of on-street parking, it is an existing situation for which this development is not to mitigate for and that this development would not cause a detriment to highway safety as it will not significantly increase any on-street parking associated with it. To address all concerns, I have noted the objections on the LPA website prior to compiling this recommendation.

Recommendation:

The highway authority recommends no highway objection to be raised subject to the conditions listed in section 8 of this report.

Environmental Health

26th October 2018

The application is broadly similar to previous applications relating to the site which involved mixed commercial and residential use. Therefore my previous comments are still appropriate:

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Comment Date: Fri 23 Sep 2016

I have no objection in principal to this proposal, but significantly more detail is required before final comment can be made:

Road Traffic Noise & Fenestration

The entire site will be subject to noise from road traffic using Bath Road and Shurdington Road, in particular the first floor apartment overlooking the Norwood Roundabout. Some other units may be affected by noise from other existing sources, including the commercial premises around the site.

A survey of noise levels from these noise sources is required. Such a survey should also identify suitable fenestration to control the effects of noise on residents of these properties.

Noise from A1/A3

The combination of A1/A3 use with residential over (and adjacent) has the potential to cause loss of amenity for residents of the proposed and existing property due to noise from commercial use, including the operation of kitchen extractor plant. I would recommend that the particular extractor plant for the premises should be designed to limit any noise impact on neighbouring premises. This detailed design could be required as a condition to be attached, should permission for the proposed development be granted, on the following lines:

Prior to the commencement of development, details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and maintained in strict accordance with the manufacturer's and installer's instructions thereafter.

Reason: These details need careful consideration and formal approval to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

Scheme to control noise and nuisance during redevelopment

The proposed development is in close proximity to existing residential property and therefore has potential to cause significant nuisance through noise and dust emissions during the site work. I would therefore recommend a condition on the following lines:

Condition: A scheme for the effective control of all noise, dust and other nuisances shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.

Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

Informative: The councils recommended hours of work for construction and demolition are: Monday - Friday 7:30AM - 6:00PM, Saturday 8:00AM - 1:00PM, with no noise producing work on Sundays or Bank Holidays. Work outside these hours may be approved subject to an application for consent under Section 61 of The Control of Pollution Act 1974.

Piling

In the event of the developers deciding to use piled foundations at this site there will be significant potential for noise and vibration from this operation to affect nearby premises. I would therefore recommend the following condition:

Condition: No piling activities shall be carried out at this site unless previously approved in writing by the Local Planning Authority.

Reason: To prevent nuisance being caused to residents of neighbouring property due to noise and vibration.

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On a more specific note, the location of the proposed bin facilities are not ideal, as they positioned on the property boundary, close to neighbouring residential property and should be revised, due to likely adverse effect on other residents.

Tree Officer

19th November 2018

Following receipt of Tree King report of Oct 2018 (ref TKC Ref 38.39A), the majority of requests and clarifications made by CBC Tree Section have been addressed. However there are 1-2 outstanding issues from comment made 14.11.18 which have yet to be addressed:

- 1) Hand digging within the proposed seating area (within the RPA of this tree) to the front- details need to be submitted and agreed
- 2) Seating area subsurface to be constructed in such a manner so as to protect from direct physical root damage as well as damage to the roots during construction.
- 3) Confirmation that this paved area is to be and remain porous so as to help supply the tree roots with rainwater.
- 4) Confirmation that gutter covers will be attached to the outside of the building.

Similarly confirmation of the following proposals within Tree King report need to be submitted and agreed:

- 1) foundation drawing details,
- 2) Suds schemes ,
- 3) Service trench routes,
- 4) Tree pit details (incorporating the introduction of fresh top soil),

- 5) Para B4 of Treeking report states 'as far as is possible, there will be no excavation of existing soils and the bases of ground beams will be set no lower than the existing ground level' On no account can there be excavation of the existing soil level. Whilst the Root Protection Radius of this tree may be 7.8 metres as per Tree King Tree Constraints Plan (Drawing no 38.39.01A), (it is marked blank in the report), such a radius is a circle which would be equal to an area of equivalent size, assuming the tree has a unbiased growth pattern. However, being at the junction of 2 roads, it is assumed that the majority of the area of root growth will be under the existing build, not under the road. As such it is imperative that existing roots with a diameter of more than 25mm are not disturbed during demolition and construction. As such, the wording of this paragraph needs to be changed.

It is assumed will be submitted and agreed as a part of the application or by pre-commencement planning condition. Providing the above can be agreed, the CBC Tree Section does not object to this application. Concerns remain regarding the ground level windows facing and adjacent to this window.

Conservation Officer

7th December 2018

The site is within the Central Conservation Area: Bath Road Character Area. Careful consideration will therefore need to be given to the heritage significance of the existing building on site and whether the proposed building sustains and enhances the heritage significance of the conservation area.

The existing building on site is identified within the Bath Road Character Area Appraisal and Management Plan (2008) in the local details section 5.18 as having interesting historic details. Having carried out a site visit to consider the significance of the existing building it appears largely to be a modern single storey, greenhouse-like building with little merit architecturally or historically. A map regression exercise was also carried out to try to date the existing glazed building. This showed it did not exist on the site historically. The statement within the Bath Road Character Area Appraisal and Management Plan (2008) about this building having interesting historic details is therefore fundamentally disagreed with. It is not considered to make a positive contribution to the heritage significance of the conservation area. As such the general principle of its loss is acceptable, provided an appropriate replacement building is proposed.

The proposed building is considered to have a scale and massing that is in keeping with its context but with contemporary detailing, allowing the building to read as a 21st century addition to the streetscape. It will be important that good quality materials and detailing are used on the building, number of conditions are considered necessary to ensure this. No objection is raised to the proposed works which are considered to sustain the heritage significance of the Central Conservation Area: Bath Road Character Area.

Gloucestershire Centre for Environmental Records

20th November 2018

Biodiversity report received.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	164
Total comments received	61
Number of objections	61
Number of supporting	0
General comment	0

5.1 A site notice was placed at the site, an advertisement was placed in the Gloucestershire Echo and 164 properties in the surrounding area were notified of the proposal.

5.2 This consultation exercise has resulted in 61 letters of objection. No letters of support were received. The objections were focused on the following issues:

- Highway safety and the development would increase risk of traffic collisions
- Loss of parking spaces on Langdon Road by dropping the kerb to create vehicular access to the rear parking area
- Insufficient on-site parking (one space per dwelling is not enough)
- Increased traffic from new residents and customers of the commercial units
- Three-storey building is too high and out of scale with surrounding buildings
- The proposed building is out of character with the houses on Langdon Road and the Conservation Area
- The proposal fails to take the opportunity to enhance the Conservation Area
- Design and materials proposed is too modern
- Loss of amenity due to outside commercial and residential bins
- There is no need for more retail units
- Too many dwellings in a relatively small space
- Overbearing impact on residential properties on Langdon Road
- Loss of light and loss of privacy
- The site is susceptible to flooding

6. OFFICER COMMENTS

Background

6.1 A similar mixed used development was proposed at this site which was recommended for approval by Officers but ultimately refused by Members of the Planning Committee in May 2018 (ref: 16/01515/FUL). This development would have provided replacement retail at ground floor (flexible A1/A3 use), 7 flats above, an end terrace house and a detached dwelling to the rear.

6.2 Members refused the previous application at the site for two reasons:

1. *The proposed development by reason of its scale, mass and detailed design is poor quality, out of keeping with the scale and character of the area and fails to preserve or enhance the character and appearance of the conservation area. Therefore the proposal is contrary to policies CP3 and CP7 of the Local Plan, Policies SD4 and SD8 of the JCS, policy SD4 of the Emerging Cheltenham Plan, advice contained in the Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning SPD and advice contained in the NPPF.*
2. *The proposed coach house by reason of its mass and position in relation to the dwellings on Francis Street, would result in an overbearing impact upon the occupants of these properties, to the detriment of their residential amenity. Therefore the proposal is contrary to policies CP4 of the Local Plan, SD14 of the JCS and advice contained in the NPPF.*

Principle of Redeveloping the Site

- 6.3** The application seeks a flexible A1/A3 planning permission for the ground floor commercial unit which would allow either retail or restaurant uses to operate from the unit. The proposal also results in a net increase of 7 dwellings in the form of 8 flats on the two upper floors of the building with the demolition of one dwelling (252 Bath Road). Unlike the refused application, no detached dwelling is included in this application and the area to the rear of the site would be solely used as a parking area of the residents of the flats.
- 6.4** Cheltenham Market has a floor area of approximately 270m². The proposal results in a net increase of approximately 50m² of commercial floor space as the proposed ground floor unit would have an area of 320 m².
- 6.5** The site is within a District Centre as designated by the extant Cheltenham Borough Local Plan (1991-2011). Policies RT4 and RT5 of the Local Plan seek to ensure that new uses within these areas are appropriate to the scale and function of the area and do not harm the vitality and viability of the Town Centre. They also seek to avoid an excessive loss of A1 uses within the centre.
- 6.6** It is considered that the uses proposed are appropriate for Bath Road which contains a mix of retail, restaurant, café and pub uses. The introduction of a potential A3 unit is not considered to be damaging to the vitality of the Bath Road given the number of A1 retail shops within the centre. In the event the commercial unit was to be used for solely for A1 retail purposes, the principle of changing from A1 to A3 is acceptable in any case due to the provisions within the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 6.7** A number of representations raise concerns over the loss of Cheltenham Market as an independent retailer. While there may be sympathy for the sentiment of this particular retailer, the end user is not known in this instance and in any event the role of the planning system is to consider land uses in general terms and not to favour one retailer over another.
- 6.8** The proposal also involves the creation of 8 new dwellings. These are located within a highly sustainable, central location within the Principle Urban Area (PUA) of Cheltenham. As such the location is wholly appropriate for new housing, and the dwellings would make a welcome addition to the housing delivery targets within the Borough at a time when a five-year supply of housing land cannot be demonstrated (current figure is 4.6 years). As such the proposal is in line with the objectives of policy SD10 of the JCS.

Design / Impact on the Character and Appearance of the Conservation Area

- 6.9** The site is located within Cheltenham's Central Conservation Area. The local planning authority has a statutory duty to pay special attention to preserve or enhance the character or appearance of the Conservation Area pursuant to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. JCS policy SD8 and the NPPF also seek to ensure that development within Conservation Areas is appropriate.
- 6.10** While Cheltenham market has some interest in terms of its position within the Conservation Area, the individual buildings are not of significant interest or quality and, subject to the replacement being acceptable the principle of demolition is considered to be acceptable. The same applies for the dwelling at 252 Bath Road; it dates from the 1930s but is considered not to be architecturally or historically significant. Its white pebble dash render walls, upvc windows and bradstone extension to the front detract from the character and appearance of the Conservation Area. Therefore no objection is raised to the loss of this building either.
- 6.11** Concerns have been raised by the design of the proposed building stating it does not assimilate with the semi-detached dwellings that characterise Langdon Road. Some have stated the proposal should be more akin to the development at the opposite end of Langdon Road where at the intersection with Fairfield Parade three dwellings were recently built in a similar style to surrounding dwellings.
- 6.12** On a smaller site like this, a simple repetition of the existing architectural style was considered to be the correct approach as a pastiche development is sometimes a good way of safely preserving the character and appearance of the Conservation Area. However, the application site intersects with Bath Road which is much more retail-orientated and the character is therefore very different. A pastiche development in this situation on a much larger site is considered to be a poor way of utilising the space and it would represent a missed opportunity to enhance the character and appearance of the Conservation Area.
- 6.13** It is common for buildings on corner plots to have an additional storey compared to the buildings on the streets lead off from it as it helps to provide a focal point for the street and create a sense of place. This can be seen at 184 Bath Road (intersecting with Exmouth Street) which is a three-storey building containing a family-run bakery called Parson's on the ground floor with two residential storeys above. The same can be seen at 150-156 Bath Road (intersecting with Clare Street) which is the location of the Natural Grocery Store.
- 6.14** The Conservation Officer has stated "*The proposed building is considered to have a scale and massing that is in keeping with its context but with contemporary detailing, allowing the building to read as a 21st century addition to the streetscape.*" The use of red brick takes reference from the dwellings on Langdon Road but the design of the building has deliberately not made an attempt to copy these buildings which are very much of their time and different in their function compared to the proposed mixed use development.
- 6.15** The proposed building has an additional storey compared to the two-storey dwellings on Langdon Road but the overall height of the building is only marginally greater than the surrounding dwellings. Also the uppermost storey is recessed back from the edge of the building to further reduce its overall scale and massing which is welcomed.
- 6.16** The building has also been recessed on its south-west corner to accommodate the nearby lime tree and utilise it as a feature of the development, which is preferable to the existing situation where the canopy of the tree overhangs the existing building. This is another improvement compared to the previously refused application which featured a sweeping curve on its south-west corner which would have been mostly obscured by the tree.
- 6.17** The proposal now features a double-height glazed section providing light into the ground floor commercial unit and allowing views out onto the tree and a sitting out area

underneath its canopy. It is considered that this would make a positive contribution to the character and appearance of the Conservation Area and the way in which it is experienced.

- 6.18 The proposal involves an interesting use of contemporary materials such as aluminium window frames and metal cladding for the second storey section, while using red brick to pick up on the brick used for the construction of the dwellings on Langdon Road.
- 6.19 The design of the building is considered to be acceptable in terms of its size, scale, materials and overall design approach. The development would make good use of a corner plot in a prominent part of the Conservation Area, ultimately enhancing the character and appearance of this area. For these reasons, it is considered that the proposal is in accordance with the guidance advocating good design and development within Conservation Areas including JCS policies SD4 and SD8 and the NPPF.

Highway Safety and Parking

- 6.20 Concerns have been raised by local residents about highway safety and parking issues in relation to the proposed development. The Local Highway Authority (LHA), Gloucestershire County Council, has assessed the application and found no reason to object on these grounds.
- 6.21 The LHA have reported that no accidents have been recorded on Langdon Road in the past five years and there is no inherent highway safety concern in terms of the level of on-street parking, the proposed vehicular access / visibility splay for the development or the design of the local highway network in general.
- 6.22 Langdon Road was constructed over 100 years ago and it was therefore not designed with the motor car in mind. A small number of property owners on Langdon Road have managed to create driveways in spaces immediately in front of their property for small vehicles, however most rely on leaving their cars parked on the road. Living on Langdon Road and owning a private car without a private parking space is an individual *caveat emptor* (let the buyer be aware) decision. The LHA reiterate that it is not for this development to ameliorate any existing struggles residents may have with regard to parking their cars that inevitably come with living on a street that was constructed in the late Victorian period without future proofing for cars.
- 6.23 Some residents have lamented the lack of parking to be provided for the residents of the proposed flats, with a ratio of one space per dwelling. It is acknowledged that some households have two or more cars each in the 21st century, however once again future residents of the proposed flats would be in full knowledge that any additional cars they own would have to be parked on the public highway, which is always subject to availability. The fact that existing Langdon Road residents would have lived in the locality longer does not entitle them to a parking space on a public highway which can be used by all road users.
- 6.24 The proposed provision of one parking space per dwelling is superior to the off-street parking provision on Langdon Road as it exists today which, for the most part, is zero spaces per dwelling. The site is located in a sustainable part of Cheltenham that is within walking and cycling distances to a wide range of services and amenities on Bath Road and the town centre. The site is also well served by public transport. In this situation one parking space per dwelling considered to be adequate.
- 6.25 Some residents of Langdon Road have raised concerns that the dropped kerb required to create the vehicular access into the site would result in less on-street parking spaces. The access would take up approximately two car lengths of on-street parking space so while there is truth in these concerns, it is important to reiterate that Langdon Road is not a car park and it does not have any designated residents' parking areas, it is simply a road

where traffic should ideally move through the space. It is considered the creation of a dropped kerb would not cause a severe cumulative impact on the local highway network.

- 6.26** There is local concern that traffic levels would increase as a result of the proposed A1/A3 commercial unit. The existing retail unit presumably generates vehicular traffic from customers visiting the site. It is acknowledged that the proposed A1/A3 would be approximately 50m² greater compared to the existing retail unit, however it is considered this modest increase in floor area would not materially increase vehicular traffic, even if the business that occupied the unit was particularly successful. There are public car parks within the vicinity of the site at the Norwood Arms and at Bath Terrace for future customers to utilise.
- 6.27** Taking the above issues into account and the considering the LHA assessment of the proposal, it is deemed the development would not cause a severe cumulative impact on the local highway network. Consequently the proposal is judged to be acceptable pursuant to the relevant guidance found within JCS policy INF1 and the NPPF.

Impact on Living Conditions

- 6.28** Policies CP4 of the Local Plan, SD14 of the JCS and the NPPF seek to ensure that new developments do not have an unacceptable impact upon the living conditions of neighbouring residents. It is considered that due to the size, orientation and scale of the proposed building there are three main neighbouring properties that would be most affected by the development. These properties are 2 Langdon Road, 2 Leckhampton Road and 250 Bath Road.
- 6.29** The east elevation of the proposed building would be parallel with the side elevation of 2 Langdon Road in close proximity to the common boundary between the two properties. The side elevation of 2 Langdon Road is blank with no windows overlooking the application site, although it does have a first floor window on its rear (north) facing elevation. The ground floor rear window has recently been covered by a single storey extension which has infilled the space between the original rear elevation and a projecting two-storey wing of the building that has been built symmetrically over the common boundary with the attached neighbouring dwelling 4 Langdon Road.
- 6.30** The extensions at 2 Langdon Road also include a first floor rear extension with a new window on the rear elevation. The single storey extension would have a full width bi-fold door and rooflights along the length of its lean-to roof.
- 6.31** The north-east corner of the proposed building would end at approximately the mid-point of the single storey infill extension at 2 Langdon Road so part of the structure would be visible from the extended ground floor area through the rooflights above. However, the east elevation of the proposed building would not contain any windows to look down on the occupants of 2 Langdon Road and unacceptable light restriction would not result from the development in this particular situation because the rooflights are only secondary windows to the bi-fold doors to the rear which would provide the sufficient levels of light into this habitable room.
- 6.32** 2 Langdon Road and many of the dwellings in this street benefit from rear gardens approximately 20 metres in length. The rear of the proposed building would be visible from rear gardens but it would not overhang these sitting out / private amenity areas so it is considered the development would not have an overbearing impact. The demolition of the dwelling at 252 Bath Road that lies immediately to the north-west of 2 Langdon Road is considered to offset any impact caused by the proposed building which, for the most part, would be situated immediately alongside its neighbour. This is considered to be preferable in terms of respecting the living conditions of others, instead of having a neighbouring dwelling located at an angle with an upper floor side window overlooking neighbouring properties, which is the case with 252 Bath Road.

- 6.33** 2 Leckhampton Road would face the proposed development across Langdon Road. There are a number of windows on the side elevation from which the proposed development would be visible. However this relationship is common in all urban areas, including Langdon Road itself where its semi-detached dwellings directly face each other across the road at a distance of approximately 17 metres.
- 6.34** The side elevation of 2 Leckhampton Road is set slightly further forward in the street compared to the odd numbered dwellings on the southern side of Langdon Road, but even when taking this into account the side-to-front relationship that would exist between 2 Leckhampton Road and the proposed building is still considered to be acceptable in this urban context.
- 6.35** 250 Bath Road (Roots and Fruits) has a blank side elevation and no rear amenity space. The dwelling which currently exists directly to the rear of this building would be removed and as such there is no significant impact upon amenity.
- 6.36** The end user of the ground floor unit is not known at this stage. The Environmental Health Officer has requested further information, however this is considered to be most appropriate by condition due to these uncertainties. It is acknowledged that there is the potential for noise and smell due to potential extraction systems and the use itself, however it is considered that the suggested conditions give the Council adequate control over these and as such adverse impacts upon neighbouring properties can be avoided.
- 6.37** Similar café / restaurant uses currently co-exist with residential properties on Bath Road and there is no reason to suggest that controls cannot be put in place to ensure the commercial unit is not harmful to the residents in the flats proposed above or to residents of existing properties. The hours of opening are not known at this stage and it is considered appropriate to restrict them as suggested by the informative below.
- 6.38** Subject to these controls the impact of the proposed development on neighbour amenity is considered to be acceptable when assessed against JCS policy SD14 and the guidance within the NPPF.

Trees and Landscaping

- 6.39** A good quality, healthy lime tree is located at the intersection between Leckhampton Road and Langdon Road. The tree makes a positive contribution to the character and appearance of the area and it is protected due to its location within a Conservation Area pursuant to Section 211 of the Town and Country Planning Act 1990. Therefore, every effort should be made to ensure the health of the tree is not compromised by the development.
- 6.40** As mentioned above, the design of this revised proposal has allowed for the tree to become a focal point by incorporating a sitting out area underneath its canopy and recessing the building back from the street on its south-west corner to allow the tree space to flourish.
- 6.41** The Tree Officer is satisfied with the arboricultural strategy proposed with the application which would be controlled by conditions. This would ensure the tree remains healthy in accordance with Local Plan policies GE5 and GE6. Given the urban context of the site, the opportunities for further landscaping treatment are considered to be limited.

Other considerations

Flooding and Drainage

- 6.42** The site is in Flood Zone 1 as identified by the Environment Agency which is the lowest risk category. There are no watercourses near the site that could cause the site to flood.

Surface water and foul water drainage are a matter to be resolved by building regulations in this case.

Biodiversity

- 6.43** The site is devoid of natural features and as such there is limited potential for wildlife. The existing buildings on the site have not been identified as habitats for protected species.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The proposed development would create 8 dwellings in a sustainable location which would make a modest contribution to the overall supply of housing in a time when Cheltenham is unable to demonstrate a five-year supply of housing land. The proposal would also provide additional commercial floor space for either a shop or restaurant, as such there would be a small contribution to economic activity in Cheltenham. These uses are entirely consistent with the thrust of local and national planning policies and they would assist with both economic development and housing delivery aims.
- 7.2** Officers have worked with the applicant to arrive at a scheme which can be supported in terms of design, highways and respecting living conditions of neighbouring residents, also having regard to concerns of Members that refused the previous application. Any concerns which may remain need to be balanced against the positive aspects of the scheme as is outlined above.
- 7.3** Given that it has been concluded that the design is acceptable, it is considered that there are no overriding areas of concern which outweigh the positive aspects of the scheme. As such the recommendation is to approve the application subject to the conditions outlined 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 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 29m distant to the right towards Leckhampton Road and 54m to the left towards Langdon Road (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 avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

- 4 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 4.0m 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 avoid an unacceptable impact on highway safety 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 the National Planning Policy Framework.

- 5 The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. PL004 B and those facilities shall be maintained for the duration of the development.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

- 6 The development hereby permitted shall not be occupied until the car parking associated with the development has been provided in accordance with the submitted plan drawing no. PL004 B, and shall be maintained available for that purpose thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

- 7 Prior to the occupation of the buildings hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

- 8 The development hereby permitted shall not be occupied until details of the tactile pedestrian crossing from either side of the vehicular access has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is designed to give priority to pedestrian and cycle movements and provide access to high quality public transport facilities in accordance with paragraph 35 of the National Planning Policy Framework.

- 9 Throughout the construction period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

- 10 Prior to the commencement of development, details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and maintained in strict accordance with the manufacturer's and installer's instructions thereafter.

Reason: These details need careful consideration and formal approval to safeguard the amenity of adjoining properties and to protect the general environment in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 11 A scheme for the effective control of all noise, dust and other nuisances shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.

Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 12 No piling activities shall be carried out at this site unless previously approved in writing by the Local Planning Authority.

Reason: To prevent nuisance being caused to residents of neighbouring property due to noise and vibration.

- 13 No underground services are to be situated within the extended Root Protection Area as described in approved drawing Tree King Consulting Report Drawing no 38.39.02A Rev B Nov 2018 unless otherwise agreed by the Local Planning Authority. Any such works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

Reason: In the interests of the visual amenity in accordance with Local Plan Policy GE 6-Development which would cause permanent damage to trees of high value will not be permitted.

- 14 Prior to commencement of any work on site (including demolition) updated tree pit details will be submitted and agreed to Cheltenham Borough Council which will including the introduction of top soil (to BS3882)2015 into the tree planting pits, underground irrigation tubes, and surface mulch, to ensure prompt establishment and growth.

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

- 15 50mm of sharp sand is to be laid over any exposed roots within the extended Root Protection Area as described in Tree King Consulting Report Drawing no 38.39.02A Rev B Nov 2018.

Reason: In the interests of the visual amenity in accordance with Local Plan Policy GE6 development which would cause permanent damage to trees of high value will not be permitted.

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

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

- 17 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority: balustrades, shopfront, pedestrian entrance on the west elevation, vehicular access on the south elevation.

Reason: To preserve or enhance the character or appearance of the Conservation Area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 18 Details of all external windows and doors shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority prior to their installation. Details shall include but not limited to elevations to a scale of 1:10 or similar and sectional details to a scale of 1:2 or similar, materials and their finish, positioning of the windows of door within their openings. The external windows and doors shall be retained in accordance with the approved details at all times.

Reason: To preserve or enhance the character or appearance of the Conservation Area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 19 Unless shown on the approved plans, no satellite dishes, aerials, meter boxes, vents, flues and external lighting shall be affixed to the south and west elevations of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve or enhance the character or appearance of the Conservation Area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

INFORMATIVES

- 1 The Council's recommended hours of work for construction and demolition are:

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Monday - Friday 7:30AM - 6:00PM, Saturday 8:00AM - 1:00PM, with no noise producing work on Sundays or Bank Holidays. Work outside these hours may be approved subject to an application for consent under Section 61 of The Control of Pollution Act 1974.

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APPLICATION NO: 18/02097/FUL	OFFICER: Mr Joe Seymour
DATE REGISTERED: 16th October 2018	DATE OF EXPIRY : 11th December 2018
WARD: College	PARISH:
APPLICANT:	Mr And Mrs Paul Artus
LOCATION:	252 Bath Road Cheltenham Gloucestershire
PROPOSAL:	Mixed use development comprising 8 flats (Class C3) on upper floors and a retail unit for flexible use as shop (Class A1) / restaurant, cafe (Class A3) on the ground floor.

REPRESENTATIONS

Number of contributors	61
Number of objections	61
Number of representations	0
Number of supporting	0

1 Parkland Road
Cheltenham
Gloucestershire
GL53 9LS

Comments: 8th November 2018

I have concerns with regards to the parking in the area. By dropping the kerb in Langdon Road you reduce the number of spaces currently available. Also whilst 8 spaces are provided for the proposed flats most households have more than one vehicle these days and as a consequence there will be increased pressure on already congested streets.

At 3 storeys high, I also think it will be very intrusive on Langdon Road residents.

26 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 10th November 2018

- This development is completely inconsistent with the surroundings.
- Langdon Road consists of bay fronted 2 story semis and this is not in keeping
- Ruins the aesthetic of the street
- Takes away from the family feel of the street
- Will void the area of light and greenery
- Will clog up parking bays on an already busy street
- Will create more traffic around an already busy roundabout
- Do we need 2 more retail units on Bath Road?

71 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 13th November 2018

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The junctions of Bath Road, Leckhampton Road, Shurdington Road and Langdon Road meet to form one of the prime gateways in to Cheltenham. As recognized by the fact that this site falls within a conservation area, the historic architecture and characteristics of the area must be preserved. The proposed building is completely alien to the existing surroundings. Its design is in keeping with an industrial or office park. It is totally unsuitable for this location and planning permission must be refused.

7 Mead Close
Cheltenham
Gloucestershire
GL53 7DX

Comments: 21st November 2018

Whilst this plot is in need of redevelopment, I feel I must object to the current proposals on the following grounds.

This corner is a principal gateway into Cheltenham. The redevelopments carried out in this area over the past 20 years have been sympathetically designed to the present architecture and enhance the period nature of the approaches to Cheltenham via Shurdington Road and Leckhampton Road. This development is more modern in style and attempts only a tokenistic nod to keeping in with the existing architecture style and density of the buildings. In my opinion it is merely a sop to planning requirements.

A similar change in style to a house in Maida Vale shows that whilst the developers can design and build a smart building, it does change the environment for better or worse. Despite the effort to keep the height of the building in line with surrounding buildings, the bulk and volume of it is disproportionate to the surrounding area and as it turns into Langdon Road, is totally out of keeping with the existing architecture, both in style, density and alignment. It is difficult to see how it can be argued that the design is of a size consistent with its surrounding area, or that its design pays attention to rhythm, density, scale and granularity particularly viewed from Langdon Road.

Whilst clearly some cues have been taken with respect to colour of the frontage, it is tokenistic and merely a sop to the planning requirements.

The shops and businesses on Bath Road need nurturing in order to ensure the survival of a small vibrant commercial and business area. I would question the need for another retail unit and would further state that the ensuing need for access would only exacerbate the parking issues and potential road safety concerns in the immediate area already at full stretch.

19 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 4th December 2018

Letter attached.

6 Churchill Road
Cheltenham
Gloucestershire
GL53 7EG

Comments: 19th November 2018

The application states that the proposed scheme conserves the character and appearance of the Conservation Area, I submit that for the reasons I have outlined below this is not the case and thus this scheme should not be approved.

1. Langdon Road Façade:

- a. This façade is a modernist design that would not look out of place in any major modern retail development anywhere in the world. Whilst the red and grey colouration could possibly reflect the rest of the road, this is entirely dependent upon the colours being identical as possible to the houses.
- b. The line of the junction between the red to the grey has not been maintained from the houses to this design and as such produces a jarring note.
- c. The balustrades and balcony are totally out of character with the houses, as is the failure to maintain the grey cladding to the end of the building.
- d. There is no consistency with the residential buildings, which have detailing such as the use of blue bricks. This is part of the character of the road and has been wholly omitted from the design
- e. The two storey glass window at the end of the building is out of character with all the buildings in the area in that there are no other buildings in the area with similarly high windows.
- f. Whilst the current building is on the pavement line, next to No.2 there is no permanent structure. The proposed building would extend both north and south beyond the walls of No.2. Thus the proposed building line at this end of the building jars with the character of the conservation area. Whilst the existing building at the Bath Road end is to the pavement, it is improper for the entire building to do this.
- g. The proposal shows windows along Langdon Road through which pedestrian can look into the commercial space. Whilst this mirrors the current building at the Bath Road end, this is not in character as one moves towards the houses.
- h. The vehicular access arch in Langdon Road is also out of character with the rest of the road.

2. Bath Road façade:

- a. Again we see a two storey glass window totally out of character with the other buildings in the area.
- b. There is another balcony which is also out of character with the Bath Road conservation area and is thus inappropriate.

3. Other issues:

- a. The plans show that cars would have an access approximately where the current side gates are. These gates were never a vehicular access and there is no dropped curb. It can be easily seen that any car leaving the proposed access would firstly be blind to any pedestrians on the path. Then due to high level of parking along the road (note this access is not in the yellow lines area) the driver would then be blind to any vehicles moving in the road. Finally due to the narrowness of the road due to cars parked opposite, the turning circle would be tight. Near misses/collisions would probably be common.
- b. It is proposed that pilling should be used for the foundations. Whilst this is excellent to ensure that the valuable tree is not harmed, there is no mention of an assessment as to what effect the vibrations may have upon the foundations/walls of the existing houses. These foundations are probably only of a few courses of brick below the soil level, this would need to be investigated.
- c. Bins:
 - i. The commercial bins are sited next to No.2 and the side wall of the development at this point is thinner than the corresponding section of wall of either the cycle store or the meter area. Thus not only have these bins been sited where they would cause the most noise pollution to No.2, the divide between them appears to have been reduced which would only exacerbate the problem.

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- ii. Although I don't know what the Borough Council's preferences would be for the residential bins (separate or combined). With the need for increased waste recycling, one questions whether the area shown is of sufficient size and position for the Council's waste operatives.
- iii. The siting of the commercial waste bins next to the houses will result in them being visible to pedestrians, again diminishing the character of the area.
- d. Para 6.14 states that the design has the support of the GDP, in fact when reading their conclusions one can see that although they support the intent they do question some aspects. It is also noted that not all of the details of the design was presented to this panel.

In conclusion, whilst I appreciate that this site will be developed, I believe that this design is unsympathetic to the character of the surrounding conservation area, as I have outlined above and should therefore be refused.

12 Fairfield Park Road
Cheltenham
Gloucestershire
GL53 7PQ

Comments: 11th November 2018

This the third planning application for this site and whilst the developers have made some attempt to address the numerous issues with this planning application - significant issues still remain and therefore the application should be rejected.

Namely:

- 1) This application is in a conservation area and the development is completely at odds with its surroundings. This development is visually significantly different - 3 storey versus two with metal cladding etc which is not a feature of the surrounding properties.
- 2) The development is of high density and completely contradicts existing surrounding development.
- 3) Parking is a significant issue for the street and this development will make the situation worse.

20 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 22nd November 2018

Letter attached.

21 Fairhaven Road
Cheltenham
Gloucestershire
GL53 7PH

Comments: 8th November 2018

Letter attached.

1 Hermitage Street
Cheltenham
Gloucestershire

GL53 7NX

Comments: 17th November 2018

We object to this proposal for the following reasons:

1. The proposed building is completely out of character with the surroundings. It is too high, too near the pavement, has no garden at the front and the materials described inappropriate for the area.
2. Parking is already an issue in this area and the proposed amenities will add further to this (potential customers, visitors, new householders needing additional parking to the proposed car park etc)
3. Access to Langdon Road which is already challenging will be made even more difficult.
4. The proposed amenities do not add to those which already exist on the Bath Road.
5. This is a conservation area (I'm not clear how this is a brownfield site as on the proposal) and new buildings should be in keeping with the area as much as possible.

1 Sandringham Court
King Arthur Close
Cheltenham
Gloucestershire
GL53 7EY

Comments: 21st November 2018

The design is totally unsuitable and unsympathetic to the surroundings. Has anyone actually looked at the site? Bath Road is known in Cheltenham as a residential area with a top class high street. It is well serviced with catering establishments so there is not a NEED for more. Residential units are needed but NOT designed like this. More empathy with the vicinity is required by the planning authorities NOT more eyesores which are totally unsympathetic.

90 Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BE

Comments: 13th November 2018

Cheltenham has such beautiful buildings and Bath Road has a real community feel and really has no need for another shop/restaurant/cafe which would increase traffic and there would be even less parking. The plans submitted for the buildings to replace Bath Road Market are not in keeping with the Victorian terraced houses in the area. Prof Sir Roger Scruton, recently appointed as chair to a committee to consider the aesthetics of new houses, is quoted as saying he wants new buildings to harmonise with the area and the plans submitted do not do this. Please do not allow this development.

5 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AX

Comments: 2nd November 2018

We can see a small improvement with the frontages being partially set back but that is it.

We live diagonally opposite on the Leckhampton road and as the last house on the left, going towards the Bath road and had a related application (04/02115/FUL) turned down in 2004. We were proposing raising the height of the rear wing by 3 feet to line up the gutters with the front of

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the house. Still with the same slate roof, rendered and painted walls, in keeping with the house, the surrounding houses and the conservation area. This application was refused because 'it would fail to preserve or enhance the conservation area or to respect the scale and character of the original building.' While I didn't agree with the ruling I accepted that the planning and conservation officers were acting in the best interests of the local area and its residents (current and future).

These new plans for 252 Bath Road are totally out of keeping with the surrounding area. The planning officer appears want to change the character of the area. I am no planning officer but even a layman can see that these proposals are not appropriate for the proportion and character of either the Bath road or Langdon Road. They have persisted with the three-story design, which is out of keeping with Langdon Road. While the metal cladding may 'reflect the adjacent slate roofs they not only look like something more suited to an out of town new-build, the now also incorporate a balcony to overlook the neighbors across the road. In no way does this design strike the right balance in being respectful of 'its historic context'. Even a 'pastiche copy' would be better. The Conservation Officer also seems to have lost sight of the potential impact on the conservation area.

In 2004 they would not allow a 3" change the roof height of a rear extension, while using the same tiles, walls and style but now they will allow an out of character eyesore.

I hope that that local residents respond similarly to this application and that it is also refused. I would expect the applicant to try again and recommend that they save time and money by considering a design which more closely aligns with 248 & 250 Bath Road, The Norwood Arms, 5 & 7 Leckhampton Road, 2, 4 & 6 Leckhampton Road and Langdon Road.

5 Naunton Way
Cheltenham
Gloucestershire
GL53 7BQ

Comments: 5th November 2018

This is an unacceptable proposed development.

The design is completely out of keeping with the residential properties on both sides of Langdon Road.

There are far too many dwellings planned for such a relatively small space. Traffic volume will increase in what is already a narrow and congested road.

It seems to me that the only motivation driving this proposal, and the previous proposals for this site, is the greed of a developer wanting to cram as much into the space as possible to maximise payback on their investment. Planning is about more than profit!

27 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 1st November 2018

Loss of residential parking

Comments: 1st November 2018

NONE GIVEN

21 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 22nd November 2018

I strongly object to this revised planning application.

This new proposed building still significantly fails to take into account the character of this conservation area with only cursory changes made.

The building proposed is not consistent with the surroundings (glass fronted balconies, zinc cladding and three stories) what is clear is that the building has been designed to maximise profit.

It is wholly inappropriate with its surroundings; a three-story monolith is completely alien to this conservation area where properties are sympathetically restored/ extended with character and within keeping. This is a slippery slope to the area being covered with dormer style extensions and the dereliction of the conservation zone. It has not been designed to the highest standard required for a conservation area. The building proposed is brash, with little thought to the materials used, and would be more appropriate for an out-of-town business park.

The building is incredibly dense, clearly to hold as many dwellings as possible. Its scale and mass are wholly inappropriate given the size of plot and location.

Traffic, and thus the parking around Bath Road is very difficult. Parking laws are already regularly being ignored, making driving extremely hazardous at times. With two new retail outlets in this situation parking will become worse and surely dangerous, particularly near the large roundabout at such a big junction.

This is an area with families and young children .

The loss of parking and the impact on the local area would be significant, how is this loss of residential amenity considered?

We do not need this development. This is already a site which is used and is not a brownfield site. It has a market which appears to be frequently visited, pop up shop space next door which regularly changes and an occupied house and garden.

32 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 4th November 2018

The proposal is wholly inconsistent with its surroundings. It is important to maintain the Victorian street scene of Langdon Road and Leckhampton Road.

The existing site provides the local community with a vital area for social interaction: pop-up shop/wet fish monger/pizza van/local cake etc sellers. This really does enhance the street scene giving a real sense of community and well being enriching all age and ethnic groups.

24 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 12th November 2018

I write in response to a letter from Tracey Crews regarding the above proposed development. I live at 24 Langdon Road. I am not averse to the development of the site at 252 Bath Road but any development should be done sensitively and compliment the character of the neighbourhood. I object to this particular proposal for the following reasons:

- o Unacceptably high density / over-development of the site - the proposal is to include 8 flats, and two mixed use retail units. The flats themselves are three storey. This will result in overcrowding of the site.

- o Visual impact of the development which will adversely effect the character of the neighbourhood. Langdon Road is a lovely street of semi detached Edwardian two storey houses with sloping rooftops, sash windows, bay windows and red brick frontages with little front gardens. The proposed development will overshadow these houses and is completely different in style. It is a modern block totally at odds with the character of the surrounding neighbourhood. The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity. There are no front gardens (the building directly butts onto the path on Langdon Road) and it is modular in style with large glass frontages and metal cladding. Compare this to the traditional Edwardian style villas with their pitched roofs, stepped back from the street with little front gardens and finely detailed brick work.

- o Finally, clearly this design will adversely effect the character and appearance of the Conservation Area.

I look forward to hearing the outcome of the consultation.

3 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 7th November 2018

This is an improvement on the last plans, but I still have major concerns:

1. The largest part of the building will be visible from Langdon Road which is a residential street with houses build around the 1900. The new development is not consistent with its surroundings in Langdon Road. The new development is a block in the middle of a street which contains semi-detached houses, which have two floors and bay windows, not three floors and no bay windows or any other features which the houses in Langdon Road have . The new development is just a big block which is not in keeping with the rest of the road. It is at odds with the rest of the road!

It would spoil the street. The house/flat built approximately 10 years ago at the other end of the street was sympathetically incorporated into the road. This three floor building is dominant and out of keeping.

2. The main consideration I suspect has been to create as many flats and commercial space in a minimum space. This seems to have been the priority. None of the other houses in Langdon Road go so close to the pavement. No other house hasn't got a front garden. This is out of character with the rest of the road.

3. The new house has none of the characteristics and detail the rest of the road has: bay windows, space between the houses, little front garden.
4. Parking is also a major concern. While I appreciate that car parking spaces are provided with the flats, most households have two cars nowadays, which could mean an additional 8 cars on Langdon Road. If one then adds visitors and the facts that several meters will be lost because residents of the new development need to have access to their building, the parking situation will become unbearable.
5. The character of the road will be completely changed bearing the above points into consideration and therefore I object.

1 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 15th November 2018
Letter attached.

2 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AY

Comments: 20th November 2018

Once again the plans are an overdevelopment of the site and not in keeping with the nature of the conservation area. It is a prominent site at the entrance to Cheltenham and is a missed opportunity to create something worthwhile and in keeping with the area.

Specific Comments

Loss of Light, Overlooking and Loss of Privacy

It is difficult to ascertain the proposed height of the three storey building but it is likely from the plans to be taller than the property opposite at 2, Leckhampton Road. This property directly faces the proposed development. This will result in loss of light into the property. All but one of the rooms in the house have windows which will be overlooked by the flats and their balconies, reducing the available light and enabling residents to look down directly into the property. There is no garden behind the property due to the layout of a number of the corner buildings in Leckhampton Road. The front and back gardens are to either side of the property and therefore both will be directly overlooked by the flats, particularly as they extend almost to the boundary with 2 Langdon Road. Two stories would be much more acceptable and not impact so much on light and privacy.

Change of use and noise

There are numerous shops, restaurants, cafés and licensed premises already on Bath Road. It is likely that the attendant traffic will increase considerably along with loading and unloading. Loading and unloading often takes place in Leckhampton Road due to the loading bay being used by shoppers and not for its proper purpose. The corner of Langdon Road is already a busy junction made more so by the one way system in place in Francis Street. A shop and restaurant would only increase the need for parking and make the junction busy further into the night, causing noise disruption to local residents. There is no real need for any further licensed premises as there is already a significant density of licensed premises and eateries in the close vicinity of 252 Bath Road, most of which spill out onto the pavement causing more noise.

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The property at 252 Bath Road is on the edge of a purely residential area and this does not appear to have been considered in these plans. There is currently no shop frontage in Langdon Road and that is appropriate as the market is on the very edge of a residential area. The plans appear to show a large shop frontage in Langdon Road which will increase light pollution and change the nature of the residential area in a negative way. There are shop fronts further down Bath Road which go around the corner, but these are directly opposite other commercial properties not residential properties.

Access

The access to the flats appears to have been widened and will lead to the loss of at least 3/5 parking spaces in Langdon Road. In addition this is a walking route to and from Naunton Park Primary School which is used by both accompanied and unaccompanied young children. The visibility for exiting this way will be restricted by the building and also the on road parking either side making it dangerous due to poor visibility. The turning circle is also likely to be tight as there will be parked cars opposite the entrance and the building is further forward towards the road than any of the others on that side of Langdon Road.

Parking

The loss of residential parking spaces to make the enlarged entrance will result in the loss of a current amenity for residents both in Langdon Road. There has never been a vehicular access to the site at this point, only one from Bath Road. Previous applications had mention of a Parking Survey which at best was wrong and at worst was a travesty of the facts. There appears to be no account taken of local circumstances with regard to the provision, or lack of, any on-street parking. Where will visitors to the retail properties park? Where will visitors to the flats park? Housing associations always provide for visitor parking.

Flooding

How will this impact the recent flooding in Langdon Road and Francis Street? Recent heavy rain has seen large puddles extending into the road and over the pavement making the pavement impassable.

B. General Comments

1). Comments re planning policy

Cheltenham Planning policy states that planners in a conservation area should:

Create designs of a size consistent with its surroundings and current form.

This development is not consistent with this guidance. Langdon Road has 2 storey bay fronted semis; this is a massive 3 storey building completely at odds with its surroundings. It will loom large and overshadow the beautiful Edwardian Langdon and Leckhampton Roads and dominate the whole road. The building will be in front of the current building line on that side of Langdon Road.

Create designs of character that pay attention to rhythm, density, scale and granularity of surroundings

This development is solid and pays no attention to rhythm, scale, density and granularity. The houses in Langdon Road are broken up by gardens and gaps between houses. The houses are set back from the road but this building goes right to the boundary of the pavement. In addition the building is too close to 2 Langdon Road and the gap does not fit the scale of the other properties in Langdon Road making it look odd.

Create designs that pay attention to arrangement, volume and shape of the building (Massing).

The building has been designed to hold as many dwellings as possible and this appears to have driven the design, volume and shape. It could be a block of flats anywhere but is not in keeping with a conservation area.

Create designs that are suited to their location and have appropriate detailing.

There is no evidence of any detailing trying to link this building with the conservation area around it, no bay windows, no gardens, balconies that are not in keeping with the conservation area nor suitable for families. Insufficient parking.

In addition the two small trees that are present on the pavement in Langdon Road in the market elevation are missing on the plans for the new development. Does this mean they will be removed?

20). Comments regarding the developers views

6.11 "It is reflective of the overall built form and commensurate with it. For example 234 Bath Road is a three storey property that addresses a corner plot There are clear similarities here" 242 Bath Road (The Corner Shop) drops to a single storey as soon as it turns into Francis Street, it does not extend 30 metres as a 3 storey building. Is that a clear similarity? In addition most of the bulidings in Francis Street are rendered and therefore the amenity is different. How is this in keeping with the corner opposite the new development? Why not look further up Leckhampton Road for a comparison that fits with the Langdon Road/ Leckhampton Road Conservation Area and is more in keeping. Here the corner buildings are 2 storey.

6.20 "The proposed building has taken direct cues from the built form within the Conservation Area. It is appropriate in scale and mass, and furthermore it incorporates appropriate architectural detailing and complementary facing materials. The scheme thus provides an enhancement to the character and appearance of the conservation area through an appropriate and thoughtful redevelopment of the site"

Which cues have they used? Personally, I cannot pick up on any of them other than the red bricks. How can metal cladding , and glass and metal balconies be appropriate architectural details in an Edwardian Conservation Area?

11.12 "As with any contemporary scheme the final outcome is only as good as the materials and detailing of the development. We would therefore anticipate planning conditions to establish the required quality of the scheme"

This is a particularly worrying statement. It implies that the finished building could look a lot worse than it does on the plans. What does this mean?

6.6NPPF11 "As such it is vitally important that brownfield sites and the urban area are fully utilised and effectively developed.

Why is this referenced when there is a thriving business and a residential house on the property? This is not currently a brownfield site. The house on the site is apparently older than many of the houses in Langdon Road, is it not covered by the conservation area?

38 Mead Road
Cheltenham
Gloucestershire
GL53 7DT

Comments: 5th November 2018

I would like to object to the proposed development at 252 Bath Road for the following reasons.

The overall size of the proposed development is not in proportion with its surroundings. Langdon Road is a street of 2 storey semi-detached houses. The proposed building is 3 storey, a solid block and bares no relationship to the vernacular around it. It will dominate its surroundings.

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The proposed building appears to be designed to hold an unreasonable number of dwellings for the volume it occupies with this factor driving the design. These flats could be an ugly development anywhere rather than a design contribution to the existing attractive area.

Planning policy guidelines state that in a Conservation area dwellings should be created with amenity. This development has no gardens and no play areas.

Although I do not live in Langdon Road I walk down it daily and push a pushchair down it several times a week. The parking spaces are always full to the extent that the cars are parked so close nose to tail that it is often impossible to get a pushchair between them to cross the road and cars are parked up to, and on the corners. This development can only make it worse. I also question the safety implications for the enlarged entrance. I suspect that it will become like Exmouth Road in front of the recently developed block there where cars park on the pavement, leaving no room for pushchairs or wheelchairs to get through leaving me and others no choice than to walk down the centre of a busy road.

This is an awful proposal and should not be allowed to go ahead. It is a missed opportunity to create something beautiful and appropriate.

87 Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BE

Comments: 2nd November 2018

I object to this proposal. It does not abide by Cheltenham Policy guidelines in conservation areas. It is out of keeping with the locality. More specifically:

It is inconsistent with its surroundings - 2 storey bay fronted semis on Langdon Road. It would dominate the street.

It does not pay attention to the rhythm, density, scale and granularity of the surroundings - the gaps between houses on Langdon Road, and their small front gardens.

It doesn't pay attention to the volume and shape of neighbouring houses.

Its design - red brick, grey zinc cladding, balconies and glass panels are out of keeping with the locality.

It provides no amenities - no gardens, or play areas.

50 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BE

Comments: 16th November 2018

The proposal should be rejected on several grounds:

a 3 storey building of it's size is in no way consistent with the rest of Langdon Rd; if it wanted to be consistent it would be a proposal of 2 storey semi bay fronted houses. It would be abhorrent in a conservation area and such a prime location as Leckhampton to permit this.

development is not sympathetic in character, density or scale. The street has front garden not reflected in the proposal.

The corner of Leckhampton Rd/Bath Rd/Langdon Rd is already dangerous - my son has nearly been hit several times trying to cross Langdon Rd; the nature of the building worsens visibility round the corner and will endanger the public on the pavements.

The parking situation is already very difficult and the local streets have no space to accommodate parking for more flats and shops.

No amenities are created with the proposal (no gardens, play area etc); only shops that the bath road is already full off.

It is not a brownfield site, it already has a market and occupied house.

Sadly a severe case of developer greed over community need. I would be horrified if this goes ahead.

7 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 31st October 2018

The planning application for this site was refused earlier this year for the very good reasons of mass, scale, poor detailing and being out of character with its surroundings. I have compared the plans and elevations of this new application to the previous one and it is, to all intents and purpose, the same building as the one that was refused permission and if anything is even more overbearing.

Building height:

The developer has persisted with a three storey building down Langdon Road. This is completely out of scale with all the other houses on Langdon Road which are all two storey. I can see no reason why the Planners should feel they have to accept a 3 storey building on Langdon Road.

The new proposal is even taller than the last, as can be seen when looking at the junction with number two Langdon Road. The proposed flat roof is now above the ridge height of number two.

The small step back at the top floor (less than the previous proposal) will not help this building appear any smaller in height from pavement level and as the building sits in front of the adjacent houses the building will read as much taller than its neighbours. The idea of a step back has been completely negated by the proposed top floor solid roof overhang which comes to the front of the building at the end next to 2 Langdon road.

Location on plan:

Even more of the building is now shown directly in line with the back of the footpath down Langdon Road than the previous application. The notional "building line" of the existing houses on this side of the road has not been respected. This will result in the proposed building appearing very dominant when looking up or down the road.

Elevational treatment:

Langdon Road is a very attractive street due to the pleasing rhythm and consistent detailing of the existing semi-detached villas. The proposed building seems to have been designed in isolation and without any reference to its setting. The proposed elevations show a monolithic block which

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will overpower it's more finely detailed neighbours. No attempt has been made to replicate or echo the rhythm of the existing houses on the road.

This building will jar very badly with its setting and this is not acceptable in a conservation area where a new building should enhance or preserve the character of the area.

Shop fronts:

At present Langdon Road is a residential street. The existing single story market build has no shop frontage on to Langdon Road. The proposed extensive ground floor retail unit has considerable shop front glazing on to Langdon Road and this will change the character of the road in a detrimental way.

Summary:

This site is very prominent with views from Bath Road, Shurdington Road, Leckhampton Road and Langdon Road. There are opportunities to create something really worthwhile on this site, but this is not what is being offered.

3 Francis Street
Cheltenham
Gloucestershire
GL53 7NY

Comments: 19th November 2018

The proposed development for the above site is, once again completely out of keeping with the area.

The height and mass of the building is simply too much for this corner of the Bath road. the surrounding Edwardian houses will be swamped by its bulk, and their front gardens will be lost behind its boundary wall which extends to the edge of the footpath. The roof line on Langdon Road is too high, three storeys is simply wrong for this area and the result is ugly and unsympathetic.

In short the development lacks style and class, it is an unremarkable solution to a remarkable opportunity.

5 Francis Street
Cheltenham
Gloucestershire
GL53 7NY

Comments: 22nd November 2018

I strongly object to this revised planning application.

The proposed development is very inconsistent with the surrounding area; the sheer mass of the building, the glass balconies, the cladding. It is very out of character for the area. It will completely overpower the surrounding houses and shops.

The does not conform with the requirements for building in a conservation area. The design has no similarity to the surroundings properties.

Parking in the area is already very difficult and this development will only make things worse. 8 dwellings could mean up to 16 additional cars, all of whom will want to park as close to the

development as possible, and with limited parking on the bath road, this will make the parking situation a lot worse. The café and/or restaurant on the ground floor this will further increase the parking issue.

The development will severely impact the privacy of the houses on Francis Street. The houses on Langdon Road are set back far enough from the houses on Francis Street to maintain a good level of privacy, but this development will encroach on the space that provides privacy to the houses on Francis Street.

6 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 21st November 2018

This proposed development is too large and not in keeping with the surrounding area.

2 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 12th November 2018

As immediate neighbours to the proposed development, we object for the following reasons:

1. Conservation Area

The proposal lies within a Conservation area and the majority of the proposal is on Langdon Road and not the Bath Road / Leckhampton Road. Therefore the design should be sympathetic to the design/character/volume of Langdon Road.

The proposal is totally inconsistent and out of character with Langdon Road. Langdon Road is made up of red brick, bay fronted, semi-detached properties with pitched roofs. The proposal is a huge three-storey block of flats that in no way complements or is in keeping with the 1900 properties. The new properties at the opposite end of Langdon road are much more sympathetic with the natural rhythm, density and scale of their surroundings.

The design is incredibly dense, there are no breaks between properties, no gardens, and the scale is still far too big. This block of flats could be in any town/city and thus are not consistent with guidelines regarding conservation status.

The property does not keep with the natural rhythm of Langdon Road, as the building would start in line with our front brick wall rather than the natural line seen running along Langdon Road. Once again, this is completely out of character and would impact on the light to our house.

2. Car Parking

The dropped kerb will result in a loss of parking to the current residents of Langdon Road. We already struggle to find parking close to our house which is challenging with three young children.

3. Loss of light

The neighbouring side wall of the three storey proposal projects well beyond the rear wall of our second storey. This wall will significantly impose upon our property and will significantly reduce light into the rear bedroom and kitchen below.

This proposal is not in keeping with the natural flow, rhythm and density of properties suitable for a conservation area.

4. Noise

-The proposed location of the commercial bins will be within a couple of metres of two bedrooms in our house with sleeping children. We are concerned regarding the noise this will generate, as at present often after 11pm there is loud noise audible from the commercial bin from the Sup and Chow pub.

-We are also concerned regarding additional noise that may be generated from a commercial establishment with late opening hours.

10 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 21st November 2018

Sadly this latest set of plans does not offer enough improvement on the last.

The design is still too dense and is plainly not in keeping with the character of Langdon Road architecture.

The building is too high and overwhelms the houses in Langdon Road.

The plans now take the building right up to the pavement edge which was not on the previous plans.

Parking has been further restricted by increased access to the flats.

There is considerable concern about a restaurant. Parking will be an issue. Local residents already have to put up with noise and disturbance from all the local pubs after closing time.

Reduced density and a much more sensitive design is required.

7 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AX

Comments: 23rd November 2018

Letter attached.

39 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 15th November 2018

Letter attached.

17 Francis Street
Cheltenham
Gloucestershire
GL53 7NY

Comments: 23rd November 2018
Letter attached.

15 Ewlyn Road
Cheltenham
Gloucestershire
GL53 7PB

Comments: 22nd November 2018
Letter attached.

31 Exmouth Street
Cheltenham
Gloucestershire
GL53 7NR

Comments: 9th November 2018
Letter attached.

3 Als Court
Fairfield Parade
Cheltenham
Gloucestershire
GL53 7PJ

Comments: 8th November 2018
Letter attached.

83 Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BE

Comments: 21st November 2018

I strongly object to the revised planning application.

This new proposal is not a significant improvement on the previous application and fails to take into account the character of the conservation area or the considerable traffic and parking concerns of the neighbouring community.

The building proposed in the revised planning application is not consistent with the surroundings. A dense three storey apartment block does not reflect the features of the houses on Langdon Road. Zinc cladding and glass fronted balconies clearly do not take cues from the area's architecture. The mass of the proposed building is simply designed to maximise space for profit. As a significant, characterful and cherished street of shops, restaurants and cafes for the whole of Cheltenham and beyond, the aesthetic ambience of the Bath Road would suffer from this inappropriate design. Furthermore, plans for a conservation area should create dwellings with amenities but no space is provided for the new occupants of this proposed block.

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This proposal does not take into account the needs of local residents. Parking is increasingly difficult, impacting on Langdon Road, beyond to the streets around Emmanuel Church and including the whole of Naunton Crescent. An additional eight dwellings and further shops will only add to the parking difficulties experienced by residents on a daily basis. Traffic would also increase on routes used by children to reach the nearby primary school.

14 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 22nd November 2018

These new plans are still inconsistent with the surrounding area. The development remains too dense and both the design and size are out of keeping with the rest of Langdon Road which are Edwardian two-story semis. Also there is no doubt this will place increased pressure on parking which is already a problem. The possibility of a restaurant in the commercial units will also add to this and to late night noise in a residential area.

5 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 12th November 2018

I think this is the third time I have commented on a proposed development of the 252 Bath Road site; as this is effectively a new proposal there will be some repetition of earlier comments.

My view is that whilst the old greenhouses and the adjoining showroom have a certain period charm, overall the site is something of an underused eyesore. No-one, I think, will miss 252a, and some regeneration with additional residential units is to be welcomed.

However, I must object to the application as it stands. I am pleased to see the developers have paid attention to some of the objections to earlier plans, including reducing the number of residential units, and scrapping the plan for an overbearing 'coach house', enabling landscaping of the parking area.

However, the main block still presents problems - indeed some aspects are worse than earlier proposals. The visual aspects of the development have undergone a number of revisions back and forth since the original public consultation in May 2016. I am not clear whether the frontage to Bath Road is of red brick, as depicted on the west elevation, or white (cladding?) as shown in the design statement. I would prefer the latter - a contemporary contrast. I could live with the corner block as shown. My main objection is to the attempt to carry a three stories aspect round to Langdon Road, partly of red brick, which will entail a frontage completely out of character (and alignment?) with the other houses in the road from No 2 onwards. Part of the problem seems to be the desire to bridge over the entry to the car park. My personal preference would be a modern style block on the corner site, with two house unit replicating the existing houses on Langdon Road (an example may at the other end of Langdon Road, where a similar, if smaller, space was developed sympathetically a few years ago).

Notwithstanding compliance with 'relevant standards', I have concerns over parking. During the day parking in Langdon Road is difficult, but in the evening it is often impossible to find a space and I have often had to park a considerable distance away. These concerns will be exacerbated by the proposed development as:

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- Eight car parking places for a 16 bedroom development hardly seem adequate - especially as the apartments are likely to be occupied by at least two people each with vehicles. It is possible occupants may park in the street for convenience.
- Any new restaurants will generate extra evening parking.
- The entrance to the court will reduce the number of existing places.

I have lived in Langdon Road for some 20 years. I appreciate the modest efforts occupiers have made to preserve the simple early Edwardian character of the street, for example replacing sash windows, and reinstalling railings. I would regret the imposition of a large, overpowering, modern terrace of flats.

57 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BJ

Comments: 27th October 2018

Although I'm pleased to see that the proposed building is set a little further back from the Bath Road pavement than those in previous proposals for this site, it would nevertheless project quite a way in front of the long-established building line in Leckhampton Road.

I think that the proposed building is too big and too tall for such a prominent site. Were it to be built it would be hard to miss for anyone approaching down Leckhampton Road or along Shurdington Road. It should therefore have been designed to the highest standards appropriate for a conservation area within a town that prides itself on its architecture.

Instead it looks as though its design has been lifted from the pages of an elementary primary for architectural students. The proposed bland plain brick and metal cladding wouldn't be remotely in sympathy with any of the surrounding buildings. The building as proposed would be more appropriate for a bog-standard out-of-town business park.

29 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 19th November 2018

I strongly object to the current development proposed for 252 Bath Road on several grounds.

The proposed design is a gargantuan mass which is out of character with the surrounding conservation area. The concept of a three storey building constructed up to the boundary lines would create an imposing and claustrophobic pile at the end of Langdon Road. Whilst there is a three storey building on the opposite corner of the block (where Bath Road turns into Francis Street, the current Corner Shop), this should not be taken as a precedent as there are important differences: primarily, that as The Corner Shop turns the corner away from Bath Road, its height decreases to two storeys and it is set back from the boundary line. It should be noted that the adjacent premises is one storey. This is very different to the proposal for Langdon Road whose characteristic Edwardian semi-detached properties, which are set back from the road by gated forecourts, would be swamped.

The junction between Langdon Road and Bath Road is currently problematic for drivers as visibility is poor and pedestrians, including the many school-children who use this route, find crossing safely a difficulty. The dual vehicle entrance would increase the dangers in this area as

cars would be turning in and out of the development in both directions: safety would be further compromised as cars would be crossing the pavement. It should be noted that this point in the road has previously incited a road-rage incident.

The dual entrance to the development would also result in a loss of amenity for the residents as there would be a reduction in available street parking provision in order to provide access.

The proposal for the development to contain a restaurant is out of keeping with the distinctive residential aspect of Langdon Road. The roundabout at the junction of Shurdington and Bath Road demarcates the differing aspects of the commercial and residential areas and should be maintained. Moreover, such a large commercial space would require servicing by deliveries, which would by necessity be large commercial vehicles, again exacerbating the traffic safety issues and changing the nature of the area.

Restaurants are not characteristic of this part of Bath Road. Indeed, this well-known local spot provides a distinctive step-change between bustle and energetic vibe and calm of a residential area. This obvious overdevelopment would destroy this calm. Vehicular and pedestrian traffic into the evening, which would be the consequence of a restaurant, would create noise pollution, which would be detrimental to nearby residents who are largely either young families or the elderly.

The proposed dwellings lack suitable amenities. It is reasonable to anticipate that the parking facility in the plans would be inadequate. Therefore, parking would be sought in the nearby streets: a further reduction in the present amenity residents have of being able to park within a reasonable distance of their homes. The current demand, mainly due to shoppers and employees of Bath Rd., means that parking for residents is at a premium, oftentimes requiring them to park several streets away.

Customers and employees, of a restaurant in particular, would make demands on the already limited parking. Thus, there would be a reduction in amenity for the residents.

Such a large number of dwellings would lead to refuse and re-cycling collections, even at their most efficient, stalling further the flow of traffic on this problematic corner.

The proposal does not have adequate provision for the tree at the corner of Langdon Road and Bath Road. Any damage to the root structure during construction would lead to its demise and the distinctive arboreal feature of the aspect leading to Leckhampton's well-known beauty spot would be lost to locals and visitors alike.

For all of the above reasons, this proposal should be rejected in favour of a development which will enhance rather than violate the well-established charm of this conservation area, protect the amenities of local residents and present an architectural design worthy of this significant gateway to Cheltenham for visitors approaching from Shurdington Road and Leckhampton Road.

53 Shurdington Road
Cheltenham
Gloucestershire
GL53 0HY

Comments: 20th November 2018

I object to the proposed development for the following reasons:-

- Design. The style and scale of the building is not in keeping with the surrounding conservation area. It doesn't relate to the near buildings in Bath Road, Langdon Road or Leckhampton Road either in its overall scale or details such as window openings and choice of roof and other materials. It will loom over the area adding nothing positive to the special character of

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the conservation area and will downgrade this unique part of Cheltenham. The density of the residential accommodation is too much for the size and position of this plot.

This is an opportunity to give Bath Road and Cheltenham a sympathetic development which complements the area.

- It will add to the existing problems of traffic and parking in the area. There will be reduced parking in Langdon Road and increased deliveries to the retail units and many extra journeys from the new residents all adding to the traffic on Norwood roundabout. Lack of car parking is a big issue here and a high density over development like this can only make the situation worse.
- The loss of an existing amenity. The current shops and wide pavement are both features of the Bath Road and are enjoyed by both residents and visitors. The existing mature lime tree will also surely be threatened.
- This is an opportunity to give Bath Road and Cheltenham a sympathetic development which complements the area but this proposal is the result of a developer trying to cram as many properties into the site as possible - another example of public loss for a private gain.

19 Hermitage Street
Cheltenham
Gloucestershire
GL53 7NX

Comments: 2nd November 2018

It is disappointing to see that the site plans have again failed to take into account local housing in the area. The block looks totally out of keeping with surrounding shops and housing; it is unclear why this is a brownfield site given the existing house on the site; and the design will certainly add to the already congested parking in the area, with some amendment to the roundabout surely required for safety reasons?

106 Naunton Lane
Cheltenham
Gloucestershire
GL53 7BA

Comments: 4th November 2018

Very disappointed in this proposed development on Bath Road.

Being in a conservation area the proposed building jars against all that is within the local area and is very detrimental to the area.

The 3 storey area vastly over develops the site in Bath road and along Francis street.

Scale and visual impact is totally out of keeping to the conservation area.

Parking is already an issue in this area and this development will just add to the already over crowded issue.

End of the day is this an improvement to the area, there is no way when you look at this you can say it is, so please refuse this application!

14 Mead Road
Cheltenham
Gloucestershire
GL53 7DT

Comments: 15th November 2018

The proposed building is completely out of character with the rest of the street. It is 3 storeys high with inappropriate cladding and looks nothing like the 2 storey, shorter bay fronted semis all along the street. There is no front garden like the other houses so the building is right up to the pavement, which would be dark, imposing and unpleasant.

The Bath Road area doesn't need any more restaurants or similar, and certainly not the associated parking. The corner of Langdon Road, Leckhampton Road and Bath Road is already extremely busy and quite dangerous, and a building of this density which extends much further towards the Bath Road would make the corner much more dangerous. Already I often experience near-misses turning into that corner because of a lack of visibility; with so much more building blocking that corner, this hazard would increase significantly.

The building would not only generate more demand for parking but would also reduce the number of spaces available, making Langdon Road even busier and making parking even harder for residents.

The market and the area around it forms part of the immediate and wider community. This development would use up all of the surrounding space and remove any such community activity.

Overall, I would say this is trying to fit in far too many dwellings into the space. I think the maximum that it can contain is 6 and they should be houses.

31A Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BD

Comments: 21st November 2018

Feedback ref 18/02097/FUL: Bath Road Planning Application for flexible A1/A3 retail and dwellings

The current market on the Bath Road corner of Langdon Road has provided a welcome addition to the area. It provides a place for marketeers to function in a friendly atmosphere; visitors are encouraged to enter because of the informal image it has. The pop up shop next door is a valued venue for both local and visiting business people to sell their wares. Over the years there has been a great variety of types of items for sale from rugs and furniture to jewellery and paintings. Several local artists have had exhibitions there and sold their paintings and ceramics. The premises are a vital cultural element to the character of the Bath Road area.

There is certainly no need for any more restaurants, cafes or pubs in the area. The residents already have a wide choice of places to get refreshments or go out for the evening. There are also three supermarkets along Bath Road and a variety of other food outlets - so no need for more. There are two chemists, several banks, a home supply/pet shop, two bakers, a stationer etc. etc. etc. There is no need for another retail outlet - let alone two.

The appearance of the proposed building would not be in keeping with its surroundings. The houses on Langdon Road and those nearby on Leckhampton Road sit perfectly together and are of their time - with their bay windows and small front gardens. The proposed building has a block like appearance and would appear hard edged, shiny, reflective, dense and overbearing. It would cause less light to filter down Langdon Road and, as the frontage is open to the Shurdington

Page 63

Road roundabout, all the glass would be reflecting the sun as it moves over to the East, possibly causing discomfort to drivers as they approach the roundabout.

While it is appreciated that more housing is necessary it would seem more important to create new (one bedroom) housing that is affordable for first time buyers or those who do not earn a large salary. The proposed dwellings do not appear to fit into this category - rather to those who want a spare room and a parking space.

The traffic, and thus the parking situation, around Bath Road is very difficult. Parking laws are already being ignored, making driving hazardous at times. With two new retail outlets in this situation parking will become worse and surely dangerous, particularly near the large roundabout at such a big junction.

Bath Road has a very particular character and to allow the proposed build to take place would be a mistake for the reasons outlined above.

6 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 21st November 2018

This development is completely inconsistent with the area and will spoil it.

Grasmere
16 Tryes Road
Cheltenham
Gloucestershire
GL50 2HD

Comments: 12th November 2018

May I, on behalf of my Father in Law who is a resident of Langdon Road register his objection to the proposed development of 252 Bath Road, Cheltenham on the grounds that it will remove a minimum of 2 on-street parking spaces from Langdon Road.

Langdon Road consists of over 30 domestic dwellings each with access to at least 2 private cars and only a small number having off-street parking . Add to this figure private cars belonging to commuters and shoppers parking and then walking into Bath Road or Cheltenham town center and you have a distinct lack of on-street parking provision.

Mention is made in the supporting documentation of an access being available to the current HMO from Langdon Road. This access is a pedestrian access and not suitable for vehicular traffic without considerable engineering works and the loss of at least 2 on-street parking spaces.

Previous applications had the benefit of a Parking Survey which at best was wrong and at worst was a travesty of the facts. There appears to be no account taken on local circumstances with regard to the provision, or lack of, any on-street parking.

No mention appears to have been made of how service vehicles will access the site to remove waste etc. We believe that if service vehicles were required to access the site using the proposed vehicular access from Langdon Road vehicles on the opposite side of Langdon Road would be at risk of being damaged.

To conclude we believe that this development is too big for the area as it makes no allowance for any displaced on-street parking.

10 Fairfield Park Road
Cheltenham
Gloucestershire
GL53 7PQ

Comments: 15th November 2018
Letter attached.

53 Naunton Way
Cheltenham
Gloucestershire
GL53 7BQ

Comments: 6th November 2018

If this was an application for a small number of 2-storey dwellings, in keeping with the others in the area, then I would not feel the need to comment. Nothing about the application suggests that this will blend in. There is nothing else in the area that it would blend with!

Kirkoswald House
Elford Heath,
Eccleshall
Stafford
ST21 6EL

Comments: 5th November 2018

We should like to object to the planning application to develop 252 Bath Road, an area we frequently visit.

The proposed development is completely out of character with the surrounding buildings and would adversely affect Langdon Road in particular. The site is within the Central Conservation Area and forms part of the Bath Road Character Area. Thus the area does not need a proposed building with a "contemporary architectural approach" as the application states.

The application admits that this is a predominantly an area with two storey buildings. The proposed three storey building would completely dominate its surroundings. It is very dense in structure and does not have a pitched roof. The building materials of grey zinc cladding and aluminium fenestration, and extensive use of glass balconies and metal balustrades are completely inconsistent with existing buildings on both Langdon Road and the Bath Road.

The design with second floor balconies and third floor balustrades is entirely out of character. The building would extend right up to the boundaries of the plot with no frontage and sit very close to the adjacent house at 2 Langdon Road.

In my view, the developer is completely incorrect in calling this a brownfield site, so I have little confidence in their ability to develop the site sympathetically.

I am also concerned about the extra impact on traffic and parking on Langdon Road from not only customers of a supermarket or restaurant but also visitors to the eight flats.

25 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 1st November 2018

I object to the planning proposed on 252 Bath Road. This would be not in keeping or in sympathy with the architecture of the surrounding area on Bath Road. The three storeys proposed are also out of scale to the other buildings and houses which are two storey. This is a conservation area and the proposed plan is not at all in keeping with the area.

1 Mead Road
Cheltenham
Gloucestershire
GL53 7DU

Comments: 11th November 2018

I have five main objections to this application -

- 1) I don't mind the height of the building, but the depth/length of it makes it into a monstrosity. Losing the 2 easterly flats would improve this. Not to mention the current residents of Langdon Rd - 5ft from no. 2, that's rudely imposing.
- 2) Following on, having some garden space would be much more in-keeping with the area, as well as desirable for quality of life for the new residents. There seems to be no consideration of this.
- 3) Where are people going to park to visit the "retail units"? That junction is already dangerously busy at times, and it will be made even more so with people driving hesitantly looking at "the shops" and for somewhere to park. And of course the new residents coming and going.
- 4) The design is unlike anything in the local area and, from the sound of the plans, it will stand out like a sore thumb. I'm sure this point can be over come with compromise.
- 5) One parking place for each flat is a little optimistic. I don't expect every flat to have more than one car, but certainly some of them will. There is no place for parking around there, it is full of residents already. Also the front of the building and dropped kerb will reduce the on-road parking available.

7 Naunton Way
Cheltenham
Gloucestershire
GL53 7BQ

Comments: 19th November 2018

I wish to object to the 252 Bath Road planning application for flexible A1/A3 Retail and 8 dwellings: Reference (18/03097/FUL). This is a conservation area and I do not believe the proposed is at all consistent with its surroundings. Bath Road is a much-loved area of Cheltenham with many independent shops and this structure would dominate the street.

Another concern is with parking and street congestion. Parking around Bath Road and the surrounding area of Leckhampton is beyond capacity. The addition of 8 new dwellings in one area with the average household having two cars will mean further strain on parking and traffic congestion.

20 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AY

Comments: 5th November 2018

20 Leckhampton Road, GL53 0AY OBJECTS!

We live only a few doors away on Leckhampton Rd. Firstly this design is no way in keeping or in-line with guidelines in conservation areas.. The plans for 252 Bath Road are still 3 stories high & the metal designs are inconsistent with the 2 storey properties of Langdon Road & Leckhampton Rd & indeed most of the Bath Rd.

The balconies mean that they can look over the privacy of neighbours walls & gardens.

Congestion is becoming a significant issue & this will only contribute further to parking difficulties for local residents.

It provides no amenities or green spaces for occupants & the shop frontage is wrong on Langdon Road.

It looks like a factory sight & not in keeping in this conservation area.

31A Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BD

Comments: 21st November 2018

The revised planning application for the development on Bath Road makes only marginal improvements to the original proposal:

Design aspects

The original objections to the scheme, on the basis of its mass, scale and problematic design are not resolved in the application's latest iteration outside minor cosmetic amendments to the plan. The appearance of the proposed property would be entirely at odds with, and in stark contrast to the surrounding buildings. Its design, described in the application as incorporating a 'contemporary aesthetic', is an unimaginative brick, grey metallic and glass block which will stand out as such from every possible sight-line. The complicated and extensive work described in an attempt to preserve the roots and stem of the significant tree involved in the plan seem unnecessarily risky.

Housing stock

The Local Authority understands the acute need for affordable housing stock in the Town. Whilst it is recognised that the Authority has little jurisdiction in relation to property developments comprising fewer than 15 units, the addition of more, potentially high cost dwellings unavailable to meet the needs of a rising number of homeless people in the area simply adds to the historic imbalance locally.

Parking, traffic & carbon reduction

Whilst the proposed dwellings would have access to car parking space, the additional traffic and parking required to support the declared commercial expansion that would result is not dealt with at all. The declaration made within the application, that there would be a reduction in CO2 levels due to a fewer car journeys or reduced journey times, flies in the face of logic.

Community benefit

Planning and development geared to meeting the needs of the local community, be they social, housing, health or its economic wellbeing, is an essential activity, but it has to do more than simply meeting individual commercial and financial interests. The existing proposal, referring as it does to the current buildings as 'greenhouses', does the small businesses and other cultural interests that use them a massive disservice. The small marketplace provides a unique setting for a range of outlets which would not be able to operate under any other business model, and which would disappear from the area completely if the development were to proceed. The premises available adjacent to the marketplace is let to small businesses and local cultural organisations such as Cheltenham Open Studios. This mixed, small-scale commercial activity would be lost, to be replaced by a more recognisable high street restaurant or retail chain store, changing the very special character of this part of the Bath Road.

17 Ewlyn Road
Cheltenham
Gloucestershire
GL53 7PB

Comments: 1st November 2018

I am concerned that this modern looking building is very out of character with the victorian housing in and around the vicinity, but what find totally unacceptable is that we are going to add another large group of people trying to park their cars in the vicinity of their home address. After 5pm typically we drive round looking for anywhere to park and by 6pm we end up parking our cars anywhere. This is not sustainable, parking is becoming a complete nightmare in the area and is causing an increasing level of friction. So we totally object to what looks like a modern monstrosity that is totally out of character from the neighbourhood and to disregard the issue on adding probably another 10-15 cars into the existing over full parked area in the neighborhood is sheer craziness

4 Upper Norwood Street
Cheltenham
Gloucestershire
GL53 0DS

Comments: 22nd November 2018

Letter attached.

106 Naunton Lane
Cheltenham
Gloucestershire
GL53 7BA

Comments: 12th November 2018

The Langdon Rd end of Bath Road is characterful and memorable. It drew us to settle in this area on moving to Cheltenham. I am disappointed to be facing a change to this corner and the suggested new building does not appear to have any reference to the existing character of this popular area.

My specific objections are:

Bath Road/Langdon Rd corner is busy and access to roads around Naunton Park from Bath Road or Leckhampton Rd is already difficult. Any more cars for flats and an increase in delivery vehicles for the retails units will cause increased congestion.

Behind the parked cars Langdon Rd is an attractive road of mainly semi-detached villas. The proposed development is completely out of keeping with the rest of the road and takes away the "pause" between homes and the commerce of Bath Rd.

This area is prone to flooding and does not need more impermeable surfaces rather than gardens.

1 Coronation Villas
Naunton Parade
Cheltenham
Gloucestershire
GL53 7NP

Comments: 15th November 2018

This development is in NO WAY in keeping with the architectural design of the surrounding buildings and it shall clearly dominate the street. Metal cladding and balconies with metal and glass balustrades are NOT appropriate architectural details to the surrounding area, and there are further concerns when the quality of the building materials cannot even be established before planning permission is granted. Bath Road is already incredibly well supplied with amenities and has no need for yet another supermarket with late opening hours. There is little/no allowance for green space (trees, front gardens etc.) within the development which will have a hugely detrimental impact on the environment in terms of species habitats, to say the least. There is no mention of the development incorporating renewable technology such as solar panels or rainwater harvesting to address the current energy and water crises. This is NOT a brownfield site as the current market and house are very much still in use so the developers statements on this should be rejected. The area already struggles with parking, so this will exacerbate the problem further. The flats are also not designed for family use.

29 Langdon Road
Cheltenham
Gloucestershire
GL53 7NZ

Comments: 22nd November 2018

Although ostensibly a Bath Road proposal in reality the majority of this proposed development is in Langdon Road, and yet this design seems to take little from the existing buildings other than its dignity. The choice of a contemporary design is not an excuse to ignore its surroundings. This 3 storey building turns the corner and instead of shaking hands with Langdon Road it slaps it in the face, the developer has failed the transition between the 3 storey commercial and the 2 story residential.

This proposal should be refused as it is contrary to policies CP3 and CP7 of the Local Plan, Policies SD4 and SD8 of the JCS, policy SD4 of the Emerging Cheltenham Plan, advice contained in the Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning SPD and advice contained in the NPPF, for reasons detailed below.

The developers suggest that "(6.20)The proposed building has taken direct cues from the built form within the Conservation Area. It is appropriate in scale and mass, and furthermore it incorporates appropriate architectural detailing and complementary facing materials. The scheme thus provides an enhancement to the character and appearance of the Conservation Area through an appropriate and thoughtful redevelopment of the site.

Grey metal cladding, aluminium casement windows, metal and glass balustrades for people to hang their washing on, is not appropriate detailing and complementary materials.

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Given that scale is defined as "the size of the building, its elements and its details in relation to its surroundings and the human, the scale of this building is not appropriate.

The developer further suggests, "It (the design) is reflective of the overall built form and commensurate to it. For example 234 Bath Road is a three storey property that addresses a corner plot. There are clear similarities here".

234 Bath Road (the Corner Shop), drops to a single storey as soon as it turns into Francis Street, it does not extend 30 metres as a 3 storey building, this is not a clear similarity. What is clear is that the size of the building does not fit in with Langdon Road where there are no 3 storey buildings.

The design expectation for Conservation Areas in Cheltenham are clear and stated in CP7, "The architectural design of new buildings and alteration of existing buildings should demonstrate a creative response to a specific site and locality. Particular attention should be paid to:

Character -The distinctive features of the locality, its spatial quality, rhythms, density, scale, style and materials all seem to have been ignored or paid lip service to . It is difficult to see where the inspiration for this design has come from.

Layout - This plan is too dense, it does not fit the fine granularity of Langdon Road with its gaps and small front gardens is not reflected in this coarse grained structure built right to the boundary.

Scale -This plan is out of scale with its surroundings

- massing (the arrangement, volume and shape of a building)
- height - The southerly aspect jars with the surrounding houses and is out of proportion.

Appearance

- materials - The materials proposed are not suited to their location.
- detailing - The proposal is vague on detailing and more information is required

No colour images or useful streetscapes have been provided by the developer. A cynic might suggest that this is deliberate, however it may be due to the vagueness of the specified material and detailing. The Architects panel recommended "Three dimensional views in the Design and Access Statement have not been updated to reflect the submitted scheme. This is important when appraising the details".

3D Colour images would also be helpful to the community with whom the developer have not engaged. A view down Langdon Road from the tree would reveal an entirely changed vista with the the North side of Langdon Road completely hidden from view.

NPPF127: Planning policies and decisions should aim to ensure that developments: establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

NPPF 124 "Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

NPPF60: 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.

The developer does not seem to have taken account of the community which overwhelmingly objected to the size and its proximity to Langdon Road, particularly No.2.

NPPF130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

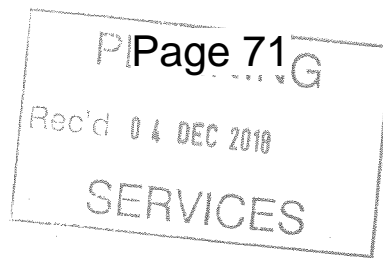
This proposal is poor design it does not follow design guidelines for a conservation area.

NPPF185 ".the desirability of new development making a positive contribution to local character and distinctiveness"

The proposal does not make a positive contribution it detracts from the character of the locale

NPPF64: "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The character of the area is not improved, in fact the development detracts from the character of the area and an opportunity is being missed here, this development should therefore be refused.



19 Langdon Road
Leckhampton
Cheltenham
GL53 7NZ

Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 1PJ

3 December 2018

Dear Sirs,

Reference: 16/01515/ful

I write to present my objection to the above reference for your consideration.

I note that the previous application (ref 16/01515/ful) was refused on design grounds, particularly in relation to scale, mass and detail out of keeping with the scale and character of the area. Furthermore, the poor relationship with the dwellings on Francis St was considered overbearing at a detriment to their residential amenity. In relation to the application in question (ref 18/02097) by virtue of design, scale and massing, the proposed scheme again fails to exert a positive influence over the character of the area alongside further impact on residential amenity to the east of the site. This is a core objective of the NPPF and subsequent Local Plan policies are to achieve a high standard of design in new development. This is particularly important in relation to new development within the Bath Road Character Area /Townscape Analysis Map which notes the existing premises as a 'positive building' in which due consideration should be made in relation to its replacement of existing architectural merit and collective value should be considered. The loss of this building in the light of what is proposed is not considered improved in design terms. It is considered that in relation to impact on neighbouring residential amenity and character, the proposal fails to maximise design quality and as a result proposes a building that lacks architectural merit at the expense of residential amenity and quality of life. Further to this, the officer is minded to consider the cumulative impacts of proposals like this on the overall Central Conservation Area and character of the townscape, which is much valued.

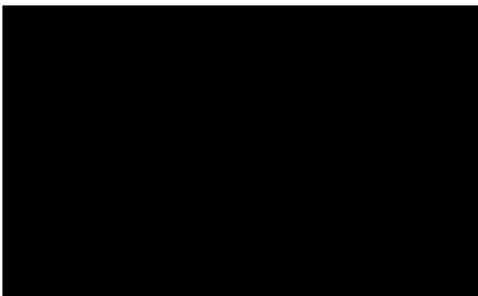
Whilst, I understand that there is a need to be a balance of homes and jobs and support the development of new homes in accessible town and local centres, further consideration in relation to economic matters should be considered. The Cheltenham Market Hall space is of local economic value offering a unique A1 (market) floorspace contributing to a diverse range of retail uses within the town centre. No attempt has been made to replace the floorspace for its current occupiers, thus resulting in a loss of a local business which adds to the vitality of this centre's local

offer. Understanding sites like this are prone to intensification to support wider Local Plan objectives (such as housing in a mixed-use format), the replacement for flexible A1/A3 units detracts from the retail offer (with no demonstration of occupier/end user) and range of units within this town centre, resulting in the loss of a valued local market space.

In relation to housing mix (policy) HS5, the proposal for 8 x 2-beds (and loss of 1 x 4-bed) does not support the delivery of a mix of unit sizes (including need for 3-bed family housing within a town centre) and types to meet the housing needs of Cheltenham. As such proposals are expected to contribute to a mix of unit sizes and tenures in which this proposal does not. Whilst it is accepted two beds are needed, town centre locations for family units (3-beds) should also be a consideration in proposals for housing within town centres.

In transport terms, the proposal includes a dropped curb which would result in the loss of one on-street car parking space with this proposal. Whilst this is not a major issue, it should be a consideration in relation to cumulative impacts and increased pressures on on-street residential parking. On-street parking is already limited and therefore the loss of an existing space is not favourable.

Yours faithfully,



20 Langdon Road
Cheltenham
Glos GL53 7NZ
20/11/2018

Dear Planning Officer

Objections to Proposed Development at 252 Bath Road
Ref number 18/02097/FUL

Overdevelopment of site making it dense with too many dwellings being squeezed on to this site and sits too close to 2 Langdon Road.

Design incompatible for the character of Langdon Road which consists of 2 storey bay fronted semis. The proposed 3 storey building would be overbearing and dominate the landscape and would not reflect the characteristics of the road.

The proposed design consists of too much glass with balconies having metal railings and glass panels which do not blend in with the surrounding area.

There is insufficient detailing to the building : it is set to the boundary with no small front garden; where are the bay windows, pitched slate roofs and brickwork to be consistent with the rest of the road?

Flats are not needed and do not sit well in this location.

There are no amenities for the flats such as gardens, play areas etc.

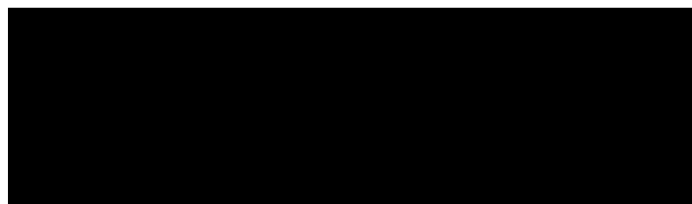
Insufficient parking for the development : parking is already an issue for residents in this road and the development will exaggerate this situation as there will be lost car parking spaces due to the dropped kerb to enable access to the flats. Where would the staff park who work in the proposed retail units?

This is not a brownfield site as it has been developed for years, latterly as a market plus occupied housing.

We do not need further cafes, restaurants or supermarkets as Bath Road is already well stocked with retail outlets.

Langdon Road has previously had problems with flooding and the proposed over development of the site will increase this risk.

Yours sincerely



Planning Department
Municipal Offices
Promenade
Cheltenham
GL50 1PP



21 Fairhaven Road
Cheltenham
GL53 7PH

4th November 2018
Your Ref: 18/02097/FUL

Dear Sirs,

Proposal: Mixed use development comprising 8 flats (Class C3) on upper floors and a retail unit for flexible use as shop (Class 1)/restaurant, café (Class A3) on the ground floor at 252 Bath Road, Cheltenham, Gloucestershire

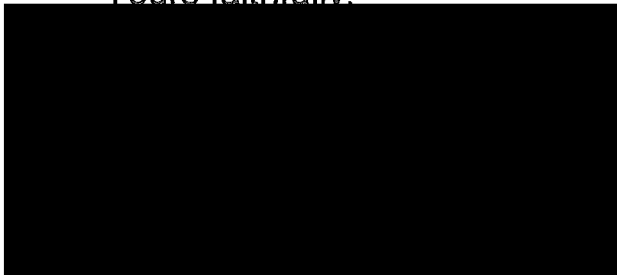
As a close resident, I am once again driven to put pen to paper in the strongest objection to this application:-

Where else in this, our historic and precious Conservation Area, can zinc cladding, and balconies with metal and glass balustrades be seen.....?!

This proposed ugly monolith, crammed as it would be, into the absolute plot boundaries, could be anywhere in Cheltenham, and is wholly inappropriate for the Bath Road/Leckhampton environs. It's presence would dominate lovely Langdon Road, and blight the face of the neighbourhood, and the trading area.

There is most certainly a pressing need for the redevelopment of the rather shabby Market site – but in a sympathetic manner which would be both aesthetically pleasing, and provide housing and commercial outlets which would further benefit our thriving local community.

Yours faithfully,



1 Langdon Rd
Page 75

Utterham

PLANNING

Rec'd 13 NOV 2018

SERVICES

GL53 7N2

M. Joe Seymour

Dear Sir

Mixed Used development 252 Bath Rd

We have lived at No 1. Langdon Rd for about 50yrs and have watched the gradual decline of the site since the Garden Centre closed down. Obviously something needs to be done but we feel that the present plans are too overbearing and out of character with the surrounding area. The house is too close to 2 Langdon Rd. Parking will still be a problem but I know this has been mentioned before!

Yours faithfully



7 Leckhampton Road
Cheltenham
GL53 0AX

CBC Planning Department
Municipal Offices
Promenade
Cheltenham

22 November 2018

Ref: 18/02097/FUL 252 Bath Road Planning Application for flexible A1/A3 Retail and 8 dwellings

Dear Sir or Madam,

I wish to lodge my objections to the latest proposal to develop the above building for the following reasons:

The design does not meet Cheltenham Planning's own Policy guidelines for the Conservation Areas*:

*** Create designs of a size consistent with its surroundings and the human form.**

The overall design does not compliment the fine Victorian houses in Langdon Road – it is also far too large and will completely dominate the buildings around.

*** The design does not pay attention to the rhythm, density, scale and granularity of the surroundings.**

It is alien to all of the above points and in my opinion the design should be rejected.

This design, three storeys high, with two mixed-use retail units on the ground floor and eight residential units would be so dense it would be completely at odds with the houses in Langdon Road. The scale and density of the building really does look like it is being driven to maximise profit, rather than create a building that would be in harmony with the surrounding buildings and would be an asset to the local area.

I would be interested to know whether the living space for these proposed apartments comply with the minimum living space recommended by the Royal Institute of British Architects (RIBA).

*** Create designs that are suited to their location and have appropriate detailing.**

Grey zinc cladding, balconies with metal balustrades and glass panels are alien and do not compliment the style of houses in Langdon Road.

*** Create dwellings with an amenity.**

The proposed design has not incorporated any amenities for residents – particularly families with children. There are no gardens or play areas in this plan.

Parking for vehicles

The number of planned parking spaces is inadequate because it does not allow for families with more than one car, visitors with cars, and access for delivery vehicles to the retail units. This would have a negative impact on the residents in Langdon Road and surrounding areas, which is already overcrowded with cars, as people struggle to find parking spaces.

In my opinion, it would be far better to have a two-storey building (or buildings) with less density and more facilities that would compliment the houses in Langdon Road and Bath Road. This is an opportunity to create a building that could be an asset to the local community.

PLANNING

Rec'd 13 NOV 2018

SERVICES

Page 77

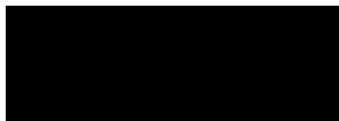
39 Langdon Road
Heckhampton
Chetltenham
GLOS
GL53 7NZ

13.11.18

Dear Sir or Madam

I object to this application
it is still too over developed and out of
keeping with our road. I live at the other
end of Langdon Road and had a development
built opposite me which fits in with the
area. 36A-36B. Since the one way system
came in, parking in our road has got worse,
As for as a restaurant and cafe I don't think
we need another, and where are they going
to park.

Yours sincerely



Mr. Francis Sr.

Cheltenham RC 537NY

Ref. (18/02097/FUL

252 Bath Road.

App. for ~~flex~~ flexible.

Revised + 8 dwellings.

My objections: —

- ① The development is not in keeping with Langdon road properties
- ② Not suitable materials used.
- ③ Parking — a big problem
- ④ Flooding this has happened.
- ⑤ Change of use.

PLANNING

NOV 2018

SERVICES

Rec'd 20 NOV 2018

SERVICES

15 Ewlyn Road,
Leckhampton,
Cheltenham. Glos,
GL53 7PB
18/11/18

Mr Joe Seymour, Planning Officer,
Planning Department,
Municipal Offices,
Promenade,
Cheltenham, Glos
Your ref: **18/02097/FUL**

Dear Mr Seymour,

The proposed plan in Langdon Road for a 3 storey building of 8 apartments & a ground floor retail unit, possibly a restaurant/cafe is totally out of keeping with the existing properties in Langdon Road & the immediate area & if it went ahead would change the aspect of this lovely area of Leckhampton for ever. The properties at the Emmanuel church end of the road which were built in 2008 are at least in keeping with all the other properties in the road which were built in 1908 & are all 2 bedroomed semis with small front gardens.

The proposed buildings are all in 1 block with no gardens & what about the parking? There will be loss of parking space to allow entrance to this development & parking in Langdon Road is already choc-a-block. This will also make a difference to parking in other roads in the immediate area which is already difficult.

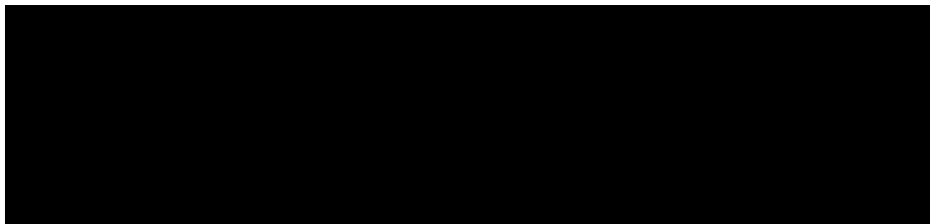
Do we really need another restaurant/cafe as we are already blessed with very good & varied eating establishments in Bath Road?

Would this development have an effect on any future flooding which has occurred fairly recently in Langdon Road/Frances Street?

We presume that it wouldn't be families with young children who would want to live in these apartments as there would be no immediate outdoor space for them.

This is definitely not a reasonable plan for our area!

Yours sincerely,



PLANNING DEPARTMENT
MUNICIPAL OFFICES
PROMENADE
CHELTENHAM
GL50 1PP

Page 80

7 NOVEMBER 2018



REF: 18/02097/FUL 252 BATH ROAD

I WISH TO OBJECT TO THIS APPLICATION FOR THE
FOLLOWING REASONS:-

Cheltenham Planning Policy guidelines state that planners in Conservation Areas should:

Create designs of a size consistent with its surroundings and the human form. Not met: the development is completely inconsistent with its surroundings. Langdon Road has 2 storey bay fronted semis; this is a massive 3 storey monolith completely at odds with its surroundings. It will loom large and dominate the street!

Create designs of character that pay attention to rhythm, density, scale and granularity of the surroundings. Not met: this development is so dense it's almost solid; the fine granularity of Langdon Road with its gaps and small front gardens is not reflected in this coarse grained structure built right to the boundary.

Create designs that pay attention to arrangement, volume and shape of the building (massing). Not met: this building has been arranged to hold as many dwellings as possible and that has driven the volume and shape. This block of flats could be anywhere. Do you want it here?

Create designs that are suited to their location and have appropriate detailing. Not met: where are the bay windows, polychromatic brickwork, pitched slate roofs and small front gardens, characteristic of Langdon Road? Is red brick with grey zinc cladding, and balconies with metal balustrades and glass panels appropriate to the area?

Create dwellings with amenity. Not met: no gardens, no play area, flats with balconies are not intended for families.

31 EXMOUTH STREET
CHELTENHAM
GL53 7NR

3 Alscourt, Page 81 de,
Cheltenham, GL53 7 PJ

Telephone: [REDACTED]

Email: [REDACTED]



Mr. J. Seymour
Cheltenham Borough Council
PO. Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

8 November 2018

Dear Mr. Seymour,

Proposed development for 252 Bath Road, Cheltenham. Yr. Ref: 18/02097/FUL

I refer to the letter I received from Tracey Crews dated 24th October 2018 regarding the above.

Whilst this is an application for 252 Bath Road, the developers seem to have overlooked the fact that most of his development is **NOT** on the Bath Road, but on Langdon Road, and consequently the current application is totally unsuitable. Any developer should place emphasis on what the building will look nestled into the conservation area of Langdon Road.

My reasons for saying this proposed development is totally unsuitable are as follows:

I am led to believe that the policy guidelines of Cheltenham Borough Council (CBC) recommend that planners in a Conservation Area should: Create designs of a size consistent with its surroundings. A three-storey block, with a commercial element do not meet your criteria in this respect, being immediately adjacent to two storey houses with pitched roofs in the Conservation Area.

Also, that designs are suited to their location and have appropriate detailing. Metal cladding whilst it might be appropriate for an industrial estate, or a trendy area of a go-ahead city location is definitely not suitable for an area of pitched roofed houses, with attractive brickwork, and bay windows.



The Corner Shop is the tallest building

I believe that the developers have referred to 234 Bath Road as being a three-storey property on a corner plot, as having similarities with the proposed new development. If one stands on the corner outside the Norwood Arms, and looks at properties from 234 Bath Road (The Corner Shop) to 252 The Bath Road Market, the Corner shop sticks out like a sore thumb as most of the buildings on the Bath road are just one storey above the shops. I sincerely trust that CBC planners in the 21st century will not permit the same sin to be committed as their former colleagues did, by permitting such an out of scale development.

3 Alscourt, Page 82ide,
Cheltenham, GL53 7 PJ

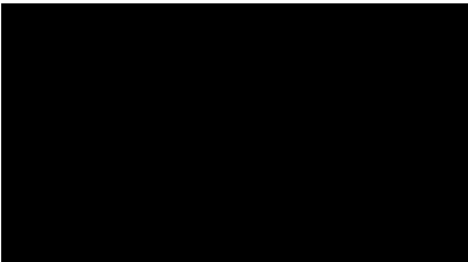
Telephone: 01242 263 284 Email: vpawlyn5@gmail.com

CBC Planners and Councillors may remember that in 1984 Prince Charles described the extension to the National Gallery as "monstrous carbuncle on the face of a much-loved and elegant friend" Whist Langdon Road might not be described as elegant, a development such as the one proposed would certainly be a carbuncle on Langdon Road and the conservation area in this part of Cheltenham.

The Bath Road Market building seen from Langdon Road is not attractive, and this is a golden opportunity to improve the look of the area. Providing more housing is a good idea to be welcomed, but any development must provide a visual asset to this part of Cheltenham. The current proposal is the complete opposite and should not be permitted.

There are currently some good examples of sympathetic development in Cheltenham, e.g. the new houses on the Gloucester Road near the railway station, the houses on the old Police HQ site which have pitched roofs. So, may we please have something which will benefit the area by its appearance? and be a credit to: architects, planners and our locality community - the latest proposal is not.

Yours sincerely,



10Fairfield Park Rd
Leckhampton
Cheltenham
Glos GL53 7PQ

Planning Department,
Municipal Offices,
Promenade,
Cheltenham,
Glos



Reference: 18/02097/FUL 252 Bath Rd

3rd November 2018

Dear Sir/Madam,

I am writing to object to the proposed building for this plot. It seems obvious to me from the drawing that the building is all wrong for this road.

First of all: do we need more shops and restaurants? We seem to have adequate provision in this area already. Especially as so many shops are closing or are turned into charity shops. We also have plenty of cafés/pubs etc.

Secondly: the building is too big and brutalistic. It doesn't fit in with the surrounding buildings because of it's width, height and sheer mass.

Thirdly: the materials don't agree with the houses close by; I feel that much more should be done to integrate the design. I also understand that the quality of the materials has not been decided. Does this mean we can look forward to cheap modern bricks, completely out of tune with the dwellings nearby?

Fourthly: why are there no green areas planned, even small ones? And why does the building have to extend into the Leckhampton Rd so far that it endangers the big tree on the corner?

And last: I do not see that this design agrees with the human form. What is so wrong with what is already there; can't we maintain or improve the existing arrangement?

Yours faithfully



PPage 84IG

Rec'd 20 NOV 2010

SERVICES

4 Upper Norwood St.
Cheltenham

To whom it may concern,

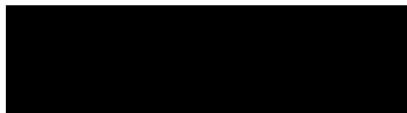
Please say

No to planners/delveopers of
Bath Road Market site.

This site is part of the character of
this wonderful individual Bath Road,
can't be many individual streets left.

These plans do not fit into any form or
style of this area and can only be for
profit reasons on behalf of the developers,
so keep this much needed and loved area
of Bath Road just as it is

Yours





26 Mead road
Cheltenham
GL53 7DT
11/11/18

Planning Dept.
Cheltenham B.C.

Dear Sir/Madam

REFERENCE 18/02097/FUL- 252 BATH ROAD

We wish to object to the application to develop 252 Bath Road for retail and 8 dwellings to replace the existing market.

We feel that the present market use of the site enhances the amenity and attractiveness of the Bath Road retail area for shoppers and its replacement by a restaurant and a supermarket is unnecessary as there are already many pubs, cafes and restaurants in the vicinity. There are also 3 supermarkets in the area as well as other excellent specialist shops. The proposed development will therefore reduce the variety provided at present by the existing market traders.

We also feel that the proposed development is out of character for the area and does not meet the requirements of the planning guidelines that the development should be both of a size and of a character consistent with the surrounding buildings. The 3-storey design is out of scale with the area and the design is neither compatible with buildings in Bath Road nor Langdon Road. In particular the solid nature of the building fronting Langdon Road is totally incompatible with the suburban nature of the small bay-fronted semis in the road and is built too close to No. 2.

If any development is to be considered on this site it should be of a small scale similar to the 2008 development at the other end of Langdon Road.

Yours faithfully,



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building surveying

planning

project management

Our Ref: 13915

14 December 2018

FTAO Joe Seymour
Cheltenham Borough Council
Municipal Offices Promenade
Cheltenham
Gloucestershire
GL50 9SA

Dear Sir,

Planning Application 18/02097/FUL

**Mixed use development comprising 8 flats (Class C3) on upper floors and a retail unit for flexible use as shop (Class A1) / restaurant, cafe (Class A3) on the ground floor.
At 252 Bath Road, Cheltenham, Gloucestershire**

I write with regard to the above application. Prior to this application being presented at planning committee on 20th December I would herewith provide a brief update to our original planning statement submission.

Please ensure that this update (or if preferred a summary of matters referenced below) is provided to the committee, so it can be considered as part of the application.

The application has been recommended for approval. As you and the committee will be aware a previous scheme was submitted for the site and that was refused by the committee contrary to officer's recommendation. The committee's main concerns related to design, amenity impacts and impact on the conservation area. It is notable that the Cheltenham Architects Panel did **not** support the previous scheme.

Prior to submitting this revised application the scheme was presented to and assessed by the Gloucestershire Design Review Panel (GDRP). The GDRP were supportive of the scheme concluding that ***it was a significant improvement on the previously submitted proposal***. Some minor amendments were suggested, these have been incorporated into the revised scheme.

Following submission of the application the proposals were reviewed as per your standard procedures for consultation by the Cheltenham Architects Panel (CAP). Following initial comments from CAP the design team presented final proposal for comment at the end of November. The Final comments from CAP (14th December) confirm the panels support for the scheme subject of course to the agreement of the finer construction details. The large scale details referenced by CAP can be considered at the condition discharge stage as part of a condition discharge application in the future.

The committee report was compiled prior to publication of the CAP final comments. It is thus essential (mindful of members criticism of the original design) that an appropriate update be provided to members, so they are fully aware of their support for the scheme.

Both the GDRP and CAP support this scheme and are complimentary of the design approach, your Councils Conservation Officer fully supports the proposal. As such, I submit that (as per officer recommendation), the design of the scheme is entirely acceptable.

In comparison with the refused scheme, other design changes have been made including the omission of the "Coach House" (formally proposed within the parking court). This overcomes a significant concern expressed by the planning committee when considering the previous scheme.

Since the previous application was considered there has been a change in circumstances. Your Councils can no longer demonstrate an implementable 5 year supply of housing land.

It has recently been confirmed, and acknowledged within the committee report, that the Council currently has a 4.6 year supply. As such, being that this proposal has an element of housing within it, the tilted balance as provided by paragraph 11 of the National Planning Policy Framework (NPPF) is fully engaged.

It is noted that a tilted balance exercise has not been carried out within the committee report as you have confirmed that it is officer's opinion the scheme is fully compliant with the Development Plan. Nonetheless, for the sake of completeness and given that it is the correct policy test in this instance, I provide the following commentary on the tilted balance.

As a mixed use housing application the most important policies are those in relation to housing supply. As there is no 5 year housing land supply then those policies are out of date. As such any assessment must then be made against paragraph 11 of the NPPF, which states:

"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the **application of policies in this Framework** that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. 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**"*

Footnote 6 of paragraph 11 clarifies that the policies referred to are those in the NPPF. As the site is within a designated conservation area then footnote 6 must be considered, however to engage footnote 6 there must be a "clear reason" for refusing development. As the Conservation Officer has identified no harm then it is safe to assume that the proposed development is deemed entirely acceptable within the conservation area and thus there are no policy grounds for withholding consent.

As such we move onto criterion ii which clearly states "when assessed against the policies in this Framework taken as a whole". Thus, notwithstanding the fact that officers consider the proposal will be in full accordance with the development plan it remains appropriate to apply the 'tilted balance' as this increases the duty upon your authority to bring forward sites which will deliver new housing and other economic benefits.

The correct test is thus that ***adverse impacts must significantly and demonstrably outweigh the benefits***. No adverse impacts have been identified by officers. The benefits of the scheme are numerous and include the provision of housing in a sustainable location utilising previously developed land. There is also the provision of new modern commercial uses on site, which benefits and supports the local economy. Thus, in line with the tilted balance and the presumption in favour of sustainable development permission should be granted without delay.

This is an important factor for the committee to consider if they are minded to overturn their officers recommendation. Relying on policy/s within the Development Plan alone would be to consider this application without regard to the 'tilted balance' would simply be wrong in law and contrary to clearly stated government policy. In this case there are no policies in the NPPF that would tell against this proposal furthermore there are no adverse impacts which ***significantly and demonstrably*** outweigh the benefits.

It is hoped that this brief update will be provided to members of the committee to aid them in their consideration of the application. Should you or the committee require any further clarification on the points raised in this letter or in the application as a whole then please do not hesitate to ask.

Yours sincerely

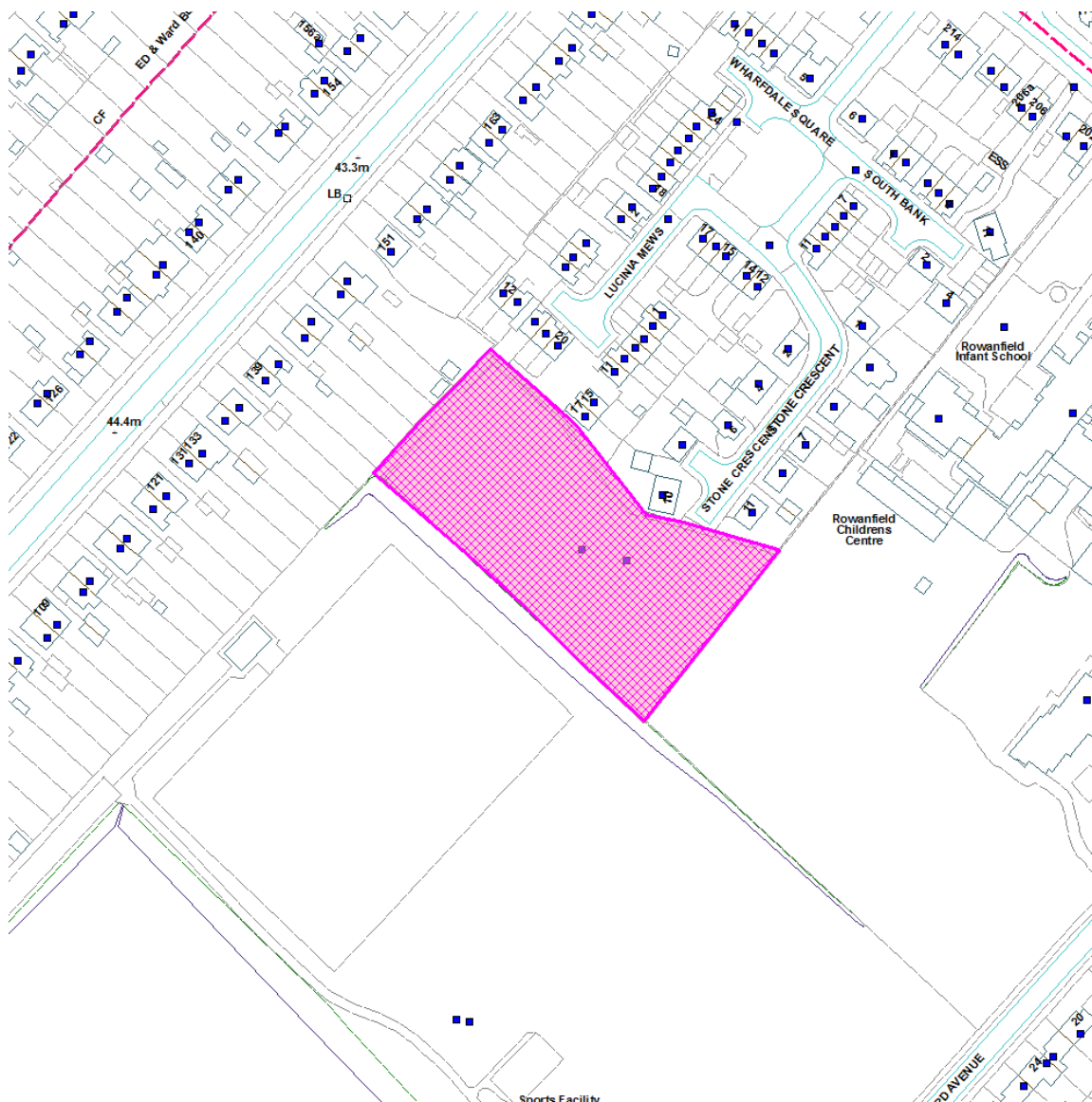
For and on behalf of Evans Jones Ltd



Mark Campbell MRTPI
Principal Planner
Tel. 01242 531412
E-mail: mark.campbell@evansjones.co.uk

APPLICATION NO: 18/02215/FUL		OFFICER: Mr Joe Seymour
DATE REGISTERED: 5th November 2018		DATE OF EXPIRY: 4th February 2019
DATE VALIDATED: 5th November 2018		DATE OF SITE VISIT: 6th November 2018
WARD: St Marks		PARISH:
APPLICANT:	New Dawn Homes Ltd	
AGENT:		
LOCATION:	Playing Field Adj 10 Stone Crescent, Cheltenham	
PROPOSAL:	Construction of 13 dwellings and ancillary works	

RECOMMENDATION: Permit (subject to a Section 106 Obligation to secure affordable housing and education contributions)



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 is a roughly rectangular-shaped parcel of undeveloped land adjacent to an existing residential cul-de-sac called Stone Crescent in the St Mark's ward of Cheltenham. The site has an area of approximately 4,500m² or 0.45 hectares.
- 1.2 The site is bordered by Stone Crescent to the north-east, the playing fields of Rowanfield Junior School to the south-east, the King George V public playing fields to the south-west and houses of Brooklyn Road to the north-west.
- 1.3 The proposed development would involve the construction of 13 houses at the site. The proposal has been submitted following pre-application advice from Officers which led to the withdrawal of a previous application for 18 dwellings.
- 1.4 Cllr Sandra Holliday has referred this application to be determined by the planning committee because there is a great deal of public interest and there are issues regarding highway safety, the increase in traffic and flooding.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Landfill Sites boundary

Relevant Planning History:

17/02460/FUL 22nd June 2018 REFUSED

Erection of 13no. dwellings with associated road and sewers

18/01932/PREAPP 30th October 2018 CLOSED

Construction of 13 new dwellings and associated road and sewers

18/01661/FUL 1st November 2018 WITHDRAWN

Erection of 18no. dwellings with associated road and sewers

3. POLICIES AND GUIDANCE

Saved Cheltenham Borough Local Plan (1991-2011) Policies

CP 4 Safe and sustainable living

CP 7 Design

Adopted Joint Core Strategy Policies

SP1 The Need for New Development

SP2 Distribution of New Development

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD10 Residential Development

SD11 Housing Mix and Standards

SD12 Affordable Housing

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

National Guidance

National Planning Policy Framework (NPPF)

Other

Emerging Cheltenham Borough Local Plan (2011-2031) - submitted to the Planning Inspectorate but not yet adopted at the time of writing.

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

22nd November 2018

I refer to the above planning application in regards to the submission of revised plans received on the 21st November 2018 with Plan Nos: 6345/510 and further supporting information. I recommend that no highway objection be raised subject to conditions (numbered 4, 5 and 6 in section 8 of this report below).

Severn Trent Water Ltd

12th November 2018

I can confirm that we have no objections to the proposals subject to the inclusion of one condition (condition number 7 in section 8 below).

Ubico Ltd

9th November 2018

These properties look all to be individual dwellings, so there will be a requirement on each homeowner to present their waste and recycling on the kerbside of the nearest adopted highway. Therefore the pavements within the development have to be wide enough to accommodate these receptacles and for them to be in situ for one out of every 10 days, not posing an obstruction to pedestrians including wheelchairs and pushchairs.

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. There is likely to be an element of on-street parking and so the roads themselves have to be wide enough to allow a 26 tonne refuse vehicle to gain the necessary access at all times of the day without the need to mount pavements - this is particularly important on the sharp 90 degree right hand bend when driving into the development from Stone Crescent.

Finally, with this many properties being built, there will likely 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. Ubico therefore must be able to gain access and also be completely indemnified from any damage caused to unfinished roads etc.

Social Housing

6th November 2018

Level of Affordable Housing Provision.

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 13 residential units. Therefore at 40% we will be seeking 5 affordable housing units and the 0.2 as an affordable housing contribution payment.

Dwelling Mix

Having regard to local needs we would be seeking all the properties to be affordable rented units on this site which would be made up of the following mix:

40%	Affordable Rented	Total	%
2 Bedroom 4P House	3	3	60%
3 Bedroom 5P House	2	2	40%
Total	5	5	100%

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

All affordable rented housing is required on this site for the affordable housing provision. 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.

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 Homes England.

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 dwellings should be designed to meet the 2015 amendments of M4 (2) 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.

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.

Section 106 Officer

7th November 2018

The cost per unit is shown below. I'm having the capacity assessed, but from experience in this area, there's little or no surplus.

Pre-school and nursery: £1,102

Primary: £3,622

Secondary: £3,511

As a result, it would be advisable to assume that the requirements for each is 13 x the above rates.

This will enable the agreements to be prepared, and, in the event that the assessment shows some surplus, it can be removed from the agreement. I would expect my GCC colleagues in Education to complete the analysis within one week if you would prefer to wait for that info, but from experience it may be preferable to draft the agreement with square brackets on amounts and specific schools in case there's a delay.

There is no library requirement.

GCC Local Flood Authority (LLFA)

22nd November 2018

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 6th November 2018 for comment on the management of surface water.

I can confirm that the site is located in fluvial flood zone 1 as mentioned in the site specific Flood Risk Assessment (FRA). Whilst it is recognised that there are no flood reports for this site, it is noted that the site is affected by pockets of surface water flood risk along the northern extent of the site during the 1 in 30 year and 1 in 100 year events, according to the Environment Agency's updated flood maps. The updated flood maps also identify surface water flood risk in the playing field to the south of the site during the 1 in 100 year event, with flow routes from this field towards the development site.

The LLFA also acknowledges that the site is characterised by lime rich loamy and clayey soils with impeded drainage. The FRA for this site confirms that infiltration tests have been carried out and failed, so infiltration SuDS have been dismissed for this development. It is therefore accepted by the LLFA that infiltration SuDS are not viable for this site.

In principle, the LLFA considers the FRA for this site to be robust, however despite the detail and plans provided in the FRA, the applicant has not provided a detailed written drainage strategy to illustrate and confirm the drainage proposals for the site. A written drainage strategy is required before the LLFA can recommend approval (with or without conditions) and this should include (but not be exclusive to) the following:

- Microdrainage calculations for the proposed storage tanks to illustrate that adequate storage will be provided for volumes up to and including the 1 in 100 year critical storm plus 40% allowance for climate change. This should take into account any runoff received from adjacent areas beyond the site boundary as referred to in the FRA.
- An alternative viable strategy should be identified in case Severn Trent Water do not agree to the proposed discharge rates into their network. For instance, if STW agree a lower discharge rate, how will the additional volumes be accommodated?
- Confirmation of which plan(s) shows the correct proposed drainage layout for the site, as there are a number of variations in the latest submission and it is unclear which is the most up to date. Specifically reference 6345/501 - there are a number of different revisions referred to in relation to the FRA submission.
- The drainage strategy should also provide numbered manholes on the relevant drainage layout plan, as the numbers are currently missing and it is therefore difficult to cross reference with the microdrainage calculations.
- Clarification is required regarding how runoff received by the site from beyond the red-line boundary will be accommodated. The FRA suggests the site receives runoff during extreme events (1 in 100 year and above) from the south and east. There are various references in the FRA and on the different plans to a deep swale or a

landscape bund at the southern boundary of the site; the drainage strategy should confirm if these features will be included, the exact location and the purpose. Has the applicant considered an interception drain to capture flows at the point that they enter the site?

- In accordance with S7, S8 and S9 of the Non-Statutory Technical Standards for SuDS, no area of the site should flood during a 1 in 30 year event or any building (including basements) during a 1 in 100 year event; the Drainage Strategy must demonstrate this will be achieved. In addition, flows resulting from an event in excess of a 1 in 100 year should be managed in exceedance routes which minimise risk to people and property. Please note, it is not considered acceptable to direct exceedance flow paths through gardens or property, and should make use of highway or public open space. This also applies to exceedance flows leaving the site.

Ultimately, a Drainage Strategy is required which is sufficient to comply with DEFRA's Non Statutory Technical Standards, relevant sections of the NPPF, associated Planning Guidance and the County Council's Design and Maintenance Guide. Finally, the LLFA suggests the Maintenance and Inspection Schedule submitted with the FRA should provide more detail in accordance with guidelines in the Ciria Manual C753. A Maintenance Schedule should be a stand-alone document providing clear details of the SuDS assets, their locations and include any relevant manufacturers documentation, in order that this can be provided to those responsible for maintenance in the future.

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

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

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

GCC Local Flood Authority (LLFA)

7th December 2018

Further to the response of Sue Humm dated 22nd November 2018 I can confirm that the calculations provided in document filed as Surface water drainage calculations adequately address the issue of required storage volumes for the 1:100 critical storm event.

I would agree with the assessment of the FRA that the 850mm storm sewer follows the course of a historic watercourse that has been culverted and therefore believe that Severn Trent would be obliged to accept discharge at the 4.6 l/s rate mimicking greenfield runoff and we have no concern that Severn Trent will not accept that rate of discharge.

The drainage plans submitted adequately show where the required attenuation volumes can be accommodated, further detail can be the subject of a condition. The detailed plans supplied to satisfy such a condition would address the issue of cross referencing with the microdrainage calculations.

The drainage plans indicate that surface water flows across the site will be managed along the highway route. The detailed plans submitted with the discharge of condition would need to show how this is achieved by adequate kerb heights and locations and suitable highway drainage.

I therefore have no objection to this development proposal provided it is conditioned so that no building works hereby permitted shall be commenced until surface water drainage works have been implemented.

Contaminated Land Officer

27th November 2018

I have no comments or objections regarding this application for 13 dwellings on the playing field adjacent to 10 Stone Crescent.

Cheltenham Civic Society

26th November 2018

The forum is concerned that if a section of the road is to be non-adopted, there will be a lot of bins and recycling receptacles left on the pavement outside the last house on the adopted stretch of road. There is no clarity in the plans on pedestrian access to the playing field for existing neighbours or the potential residents of the planned development.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	94
Total comments received	9
Number of objections	9
Number of supporting	0
General comment	0

5.1 A site notice was placed at the proposed entrance to the site at Stone Crescent, the proposal was advertised in the Gloucestershire Echo and 94 properties in the locality were directly notified of the proposed development.

5.2 Nine objection letters were submitted from local residents which raised concerns with regard to the following issues.

- Traffic / parking / construction vehicles
- Flooding
- Drainage, sewerage and other utilities already oversubscribed
- Trees and landscaping
- Ecology
- Design of the dwellings

6. OFFICER COMMENTS

Principle of Development

6.1 The housing policies in the extant Cheltenham Borough Local Plan (1991-2011) are part of a time-expired development plan which has since been superseded by the adoption of the Joint Core Strategy (JCS) in December 2017. JCS policy SD10 determines the areas within the borough of Cheltenham which are deemed appropriate for residential development.

6.2 There are two criteria in SD10 (numbered 2 and 3) which are considered relevant for the proposed development:

2. Housing development will be permitted at sites allocated for housing through the development plan, including Strategic Allocations and allocations in district and neighbourhood plans.

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

- 6.3** The application site adjacent to Stone Crescent has been allocated for residential development in policy HD5 of the emerging Cheltenham Borough Local Plan (2011-2031), which has recently been submitted to the Planning Inspectorate for adoption. At the time of writing, the emerging Local Plan has not yet been adopted so its policies cannot be given full weight in any planning decisions; however the advanced stage of the emerging Local Plan is a material consideration.
- 6.4** The proposed development would be in accordance with criterion 2 of JCS policy SD10 in the event the emerging Local Plan is adopted, but until that time, the proposal must be assessed against the next criterion, number 3, as a site that is not allocated. The proposal also accords with criterion 3 because the site is located within the Principal Urban Area of Cheltenham.
- 6.5** The site is located within an existing built-up residential area with services and amenities that are within walking or cycling distance including shops, schools and employment opportunities. The 'A' bus picks up from nearby Brooklyn Road which provides regular and reliable public transport into Cheltenham's town centre and other neighbourhood centres.
- 6.6** It is also important to highlight that at the current time the Council is unable to demonstrate a five-year supply of housing land. The Council published a statement in August 2018 which confirms the current figure is 4.6 years. In such circumstances, according to NPPF paragraph 11 d) proposals that accord with an up-to-date development plan (in this case the JCS) should be approved without delay.
- 6.7** For these reasons the principle of residential development at the site is considered to be acceptable according to the existing and emerging development plans for the area. Moreover, the site is considered to be in a sustainable location where future occupiers of the dwellings could perform many day-to-day activities without having to rely on private car journeys.

Highway Safety and Parking

- 6.8** It is acknowledged that the construction of 13 dwellings would still give rise to increased car journeys to and from the locality because even with the sustainable location of the site and the availability of public transport, individuals will still choose to use their cars and in certain circumstances private car journeys are a necessity for day-to-day life. The question when determining this application is whether or not the development for 13 dwellings would have a detrimental impact on the local highway network.
- 6.9** NPPF paragraph 109 states that *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 6.10** JCS policy INF1 adopts a similar strategy, stating *"Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan."*

- 6.11** Concerns have been raised by local residents with regard to the amount of traffic the proposal would create and that it would exacerbate the situation regarding the parking of cars in the nearby residential streets.
- 6.12** The site would be accessed via Stone Crescent which is a cul-de-sac with its estate road terminating just short of the site boundary. Stone Crescent is, in turn, accessed from Wharfdale Square and Alstone Lane. A turning head is in place adjacent to number 10 Stone Crescent to allow vehicles to leave Stone Crescent in a forward gear. The proposal is simply to continue the estate road into the site and another turning area would be provided as part of the proposed layout of the development as there would be no through road due to existence of playing fields beyond the site boundary.
- 6.13** In assessing the highway aspects of the proposal, although the access route from the application site to the main road system uses residential roads it appears from various site visits that these were of a reasonable standard to accommodate the scale of traffic that would be generated by the proposed housing development.
- 6.14** Although there is evidence of on-street parking on Wharfdale Square and Stone Crescent, it did not appear that it would materially hold up the flow of traffic created by the proposed development and the available street width would still allow for the passage of construction, refuse and emergency vehicles. It was noted from site visits that the disruption caused by vehicles parked on the road, where a driver had to wait for on-coming vehicles to pass before moving on, was a short-term inconvenience rather than a substantial delay or severe highway safety hazard.
- 6.15** In many ways, the on-street parking and the curved estate roads around which Wharfdale Square and Stone Crescent were laid out act as a traffic calming measure. Such a feature is often used as a design tool in the layout of new residential development. In any event, it is not for the applicant of the proposed development to ameliorate the layout and any perceived parking problems to be found in existing surrounding streets.
- 6.16** The layout of the proposed development is a simple extension of the Stone Crescent cul-de-sac with a new turning area. It is considered that this would not materially impact upon the way the existing local highway network operates. A swept path analysis has been submitted showing refuse vehicles can turn safely within the site and leave within a forward gear, even in the event of on-street parking taking place.
- 6.17** The proposed development would include a total of 28 parking spaces for 13 dwellings at a ratio of just over two spaces per dwelling. This is considered to be suitable for a residential development consisting of a mixture of 2, 3 and 4 bed dwellings.
- 6.18** It is acknowledged that 13 more dwellings would increase the number of vehicle journeys made to and from the residential area that currently encompasses Wharfdale Square, Lucinia Mews and Stone Crescent. However, it is considered that the increase in vehicle journeys would not result in a severe cumulative impact pursuant to the guidance in JCS policy INF1 and NPPF paragraph 109. This view is supported by the Local Highway Authority which has raised no objection to the proposal.

Design and layout

- 6.19** The proposed development would be constructed in a largely linear arrangement with dwellings situated to the north and the south of a centrally positioned estate cul-de-sac road. Plot 8 would be situated at the western end of site facing east back towards the site entrance. The dwellings on the northern side of the road would be divided by a turning area and parking spaces.
- 6.20** The dwellings would be constructed with a harvest buff brick and Redland Mini Stonewold charcoal grey roof tiles. White render would also be used for the construction of porches

and oriel windows for the units that contain these features. The proposed brick would be similar to that used in the construction of the dwellings on Wharfdale Square, although it would differ from the red brick used for the dwellings of Stone Crescent.

- 6.21** There is no objection to the variation in brick types and the addition of white render porches and oriel windows helps to differentiate the proposed development slightly from surrounding properties to help create a sense of place.
- 6.22** 13 dwellings are proposed on an area of land measuring 0.45 hectares, which equates to a housing density of just under 29 dwellings per hectare. The site has been allocated for 'approximately 20 dwellings' in policy HD5 of the emerging Local Plan, which would equate to more than 40 dwellings per hectare.
- 6.23** However, on receipt of a planning application a more substantive assessment of the site has been undertaken and it transpires that 20 dwellings would be too many for this particular site. While making best use of any site allocated for housing is advocated, the size and shape of this particular site would not lend itself to a 20-unit scheme because such a development would have a cramped appearance and it would leave less space for parking and turning areas.
- 6.24** The site is further constrained by foul and surface water sewers running in an east-west direction towards the northern boundary of the site. No substantial structures can be built on top of these sewers so they can be accessed for maintenance purposes. The site plans show the sewers run underneath the land of what is proposed to be the rear gardens of plots 1-7. The density of the proposed development is similar to Stone Crescent in terms of the number of dwellings per hectare. For these reasons, 13 dwellings are considered to be an appropriate number of this site.
- 6.25** The design of the dwellings and their layout has been proposed in a way that makes good use of the site while providing a development that integrates appropriately with surrounding residential development. For these reasons the proposal is considered to be in accordance with the design guidance set out in JCS policy SD4 and the NPPF.

Impact on neighbouring properties

- 6.26** The site is bordered by playing fields to the south-east and south-west which means there are no dwellings or other buildings that would be affected the proposed development.
- 6.27** The north-west boundary of the site adjoins the rear boundaries of numbers 139, 141, 143, 145, 147 and 149 Brooklyn Road. The semi-detached dwellings on Brooklyn Road all benefit from very large rear gardens over 35 metres in length. The separation distance between the dwelling on plot 8 and the semi-detached pair at 143 and 145 is approximately 50 metres. This amount of separation is much greater than is required to ensure that new development does not create overlooking, overshadowing or privacy loss issues.
- 6.28** The rear elevations of plots 5 and 6 would be approximately 15 metres away from number 17 Lucinia Mews which is located just beyond the northern boundary of the site. In this case, there would not be any particular issue with this relationship because it is the side elevation of 17 Lucinia Mews that faces south towards the application site. The side elevation of this property contains a landing window at first floor level but no windows serving habitable rooms that could potentially be affected by light restriction or privacy loss.
- 6.29** 10 Stone Crescent would be the closest neighbouring dwelling to the proposed dwellings. At its closest point it would be positioned 11 metres from plot 1 and 10 metres from plot 2. The Council's guidance on the relationship between new and existing dwellings advises

that a suitable separation distance is 21 metres. However, this is for dwellings that would be directly opposite each other, which is not the case here.

- 6.30** Plots 1, 2, 3 and 4 are orientated facing due south and their rear elevations facing north. 10 Stone Crescent is orientated at an angle with its rear elevation facing south-west towards plots 4 and 5. Therefore the views shared between the rear windows of 10 Stone Crescent and plot 2 would be oblique views that would not amount to direct overlooking. Moreover, an existing tree on the site would be retained within the rear garden of plot 2 which would provide additional screening and privacy between the new development and 10 Stone Crescent.
- 6.31** The spacing between the plots adjacent to the northern boundary of the site and the existing dwellings on Stone Crescent and Lucinia Mews is considered to be acceptable pursuant to the guidance contained within JCS policy SD14 and the NPPF.

Flooding and Drainage

- 6.32** The site is located within a Flood Zone 1 area as defined by the Environment Agency. This is the lowest risk category for surface water flooding.
- 6.33** The Lead Local Flood Authority (LLFA) at Gloucestershire County Council initially raised concerns about the proposal because no drainage strategy had been submitted with the application, although the Flood Risk Assessment was found to be robust.
- 6.34** The applicant subsequently submitted a drainage strategy which the LLFA have confirmed is satisfactory. The LLFA now raise no objection to the proposed development providing the drainage strategy is in place prior to any construction commencing on site. This will be controlled by condition 9 contained in section 8 of this report below.

Other considerations

Affordable housing

- 6.35** JCS 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”*.
- 6.36** This application will comprise of 13 residential units. Therefore at 40% the Council will be seeking 5 affordable housing units and the 0.2 as an affordable housing contribution payment. This will be secured via the signing of a Section 106 agreement.
- 6.37** The proposed increase to the borough’s supply of affordable housing, modest though this increase may be, is a material consideration that weighs in favour of supporting the development.

Pollution / air quality

- 6.38** Concerns have been raised by some residents about the additional vehicle journeys that would be generated leading to an increase in pollution and the reduction in air quality. The site is not located within an area that has been identified as having exceeded safe levels of nitrogen dioxide (NO₂) or is in danger of exceeding these levels.
- 6.39** The additional traffic generated from the proposed development has been discussed in preceding sections of this report above. It is considered that the vehicle movements would not materially increase the amount of NO₂ in the locality. It is important to highlight that the site is in a sustainable location where there would not be a reliance on private car journeys, even if individuals choose to make these journeys.

Ecology

- 6.40** The Gloucestershire Centre for Environmental Records has not recorded any sightings of protected species within the site. Sighting of certain species, mostly birds, have been reported in surrounding areas but nothing to suggest that the habitats of these species are present at the site which could potentially be destroyed by the development.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The site has been allocated for housing development in the emerging Local Plan; it is located in a sustainable location within the Principal Urban Area of Cheltenham where the principle of residential development is supported according to the JCS. The Council cannot demonstrate a five-year supply of housing land and in such circumstances proposals that accord with an up-to-date development plan should be permitted without delay.
- 7.2** Concerns have been raised by local residents about various issues, but primarily highway safety and flooding. No objections were raised by the Local Highway Authority and the concerns regarding flooding have been overcome to the satisfaction of the Lead Local Flood Authority.
- 7.3** Having taken all other issues into account, the proposed development is considered to be acceptable and the recommendation is to permit the application, subject to the following conditions.

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 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.

The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

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

- 4 The buildings hereby permitted shall not be occupied until the layout, vehicular parking and turning facilities have been provided in accordance with the approved drawings 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

- 5 Throughout the construction period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

- 6 Prior to the occupation of the dwellings hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

- 7 The drainage plans for disposal of foul and surface water flows shall be submitted to and approved by the local planning authority, and the scheme implemented in accordance with the approved details before the occupation of the first dwelling.

Reason: 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 pursuant to the guidance contained within the National Planning Policy Framework.

- 8 All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 0800 Hours and 1800 Hours on Mondays to Fridays and 0800 and 1300 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

Reason: To ensure that the living conditions of neighbouring residents are not unduly affected by the development pursuant to the guidance contained within JCS policy SD14 and the National Planning Policy Framework.

- 9 No dwellings hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the principles set out in the approved drainage strategy. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual, CIRIA C753 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the

measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution for the lifetime of the development.

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APPLICATION NO: 18/02215/FUL		OFFICER: Mr Joe Seymour
DATE REGISTERED: 5th November 2018		DATE OF EXPIRY : 4th February 2019
WARD: St Marks		PARISH:
APPLICANT:	New Dawn Homes Ltd	
LOCATION:	Playing Field Adj 10 Stone Crescent Cheltenham	
PROPOSAL:	Construction of 13 dwellings and ancillary works	

REPRESENTATIONS

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

11 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 9th November 2018

This planning application is very similar to 14/01276/OUT, and various other applications made in the past several years. My comments remain relevant, but I shall repeat them here to ensure these comments are considered.

The proposal for 13 detached dwellings would have a significant impact on the area. As it is, Stone Crescent has 11 detached dwellings. A further development of 13 new houses would more than double the traffic in the road. The development around Wharfdale Square currently enjoys relatively calm traffic, albeit that the number of cars has increased markedly in the last 2 years. As a relatively low traffic area, it affords children and teenagers the freedom to play in the brick-paved thoroughfares and the central garden area. Doubling the traffic would undoubtedly have a negative impact on safety. The traffic issue is only compounded by the regular use of the square by parents of children at Rowanfields school and the nearby childrens centre for their twice a day school run. Even at present, access to and from the square is significantly impeded, as the parked cars on the roadway between Alstone Lane and Wharfdale Square effectively turn that roadway into single lane traffic. I have personally witnessed a number of "near misses" on that road, and around the square itself. Adding another 20 cars to the area can only negatively impact safety in an area where primary school children are frequently crossing the road. Additionally, with an increase of traffic past my property, there will be an inevitable increase in noise. The proposed development cannot go ahead unless alternative access is obtained via Brooklyn road or Bedford avenue.

4 Lucinia Mews
Cheltenham
Gloucestershire
GL51 8DR

Comments: 23rd November 2018

This latest version of NDH's proposal does nothing to address my concerns about TRAFFIC and FLOOD risks (below). The latest tweaks to the proposal seem more intended to build objector fatigue than to overcome objections.

In view of the flood risks, it is crucial that we hear comments from the GCC Local Flood Authority (LLFA), as they objected in principle to the essentially similar previous proposal (18/01661/FUL, on 3 Sept).

New readers: Most NDH documents misrepresent the orientation of the site by 45°, as if the existing development were to the N, whereas it is actually to the NE.

It remains to be seen whether larger contractors' vehicles will be able to access the proposed site at all at times of heavy parking.

I would be interested to know how, by definition without planning permission, and while the site was in NDH ownership:

- the fence across the end of Stone Court, which is residents' property, was altered to allow vehicle access to the site;
- and how trees along the NE boundary of the site came to be cut down; these can still be seen on Google Maps:
<https://www.google.co.uk/maps/place/Lucinia+Mews,+Cheltenham/@51.9054472,-2.1058358,203m/data=!3m1!1e3!4m5!3m4!1s0x48711b6f0a24e0b1:0x14dc640ac103d1b2!8m2!3d51.9060662!4d-2.1048465?hl=en>

and for any guidance on how these actions relate to this proposal.

TRAFFIC RISKS

The existing carriageways are narrow, twisting, already effectively single-lane, heavily parked at many times, widely used as a playground, and have (for cars) blind corners at the E and S corners, causing periodic near-misses. Crucially, the SE side of Wharfdale Sq is the only vehicle access for most of the existing (Barratts) development, including Lucinia Mews, and for the proposed (NDH) development as well.

Much of the existing development is used for school-run parking for the two schools adjoining. At these times there are many young children in the carriageways.

If, as in the existing development, and as seems likely in the proposed development, there are many HMO, then the proposed parking ratio won't accommodate all the residents' vehicles. This will lead new residents to park on the existing development, where at peak times there is no spare parking capacity.

Judging from the number of homes, the proposed development would increase traffic on the existing (Barratt) site roads by about 1/3. This would increase accident risks and congestion seriously.

If the development went ahead, there would have to be action to mitigate these risks and problems:

- specifically to remove, or lower to no more than 1m the hedge round Wharfdale Sq, to allow cars approaching the S and E corners to see each other and pedestrians in the carriageway;
- generally to use kerbing and priority markings at intersections, to channel traffic and parking better with the new risks and volumes
- and to find a way of enforcing parking laws and regulations during school-runs with the new risks and volumes

FLOOD RISKS

A stream, open in living memory and now culverted, runs NW-wards under the site, then crosses Brooklyn Rd. The low-lying site appears to receive runoff from its neighbours on 3 sides (the existing site, the school, the KG5 field), and drains along the line of the stream across Brooklyn Rd. That point on Brooklyn Rd flooded in 2007. Houses in Lucinia Mews along the site boundary have a history of drain problems.

If the development goes ahead, there must be action:

- specifically to investigate the condition and capacity of the culvert, as it is now many years old;
- and generally to ensure that any flood problems occurring after or because of the development are not exported to neighbouring areas, notably Brooklyn Rd or Lucinia Mews.

We don't want NDH houses flooded, but even less do we want existing houses flooded by NDH.

15 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 14th November 2018

First and foremost I would like to request that this Planning Application goes to the Planning Committee, due to its contentious nature. All prior Planning Applications have gone or were going to go to the Planning Committee for discussion:

14/01276/OUT - Approved by Planning Committee subject to a S106. However, as shown below this Planning Application was not handled correctly.

17/02460/FUL - Declined by Planning Committee

18/01661/FUL - Was due to go to the Planning Committee and be Declined by Planning Officer but was subsequently pulled by the Developer and as such the official report stating the reasons why the Planning Application was to be Declined was not published the week before the Planning Committee Meeting.

It should be noted that I have questioned the way in which previous Planning Applications on this plot of land were handled and received a response from CBC's Chief Executive Office as part of a Stage 3 Complaint. This points to Planning Applications 14/01276/OUT and 17/02460/FUL NOT following due process. The following comment was provided concerning the outcome of 14/01276/OUT:

"As you will be aware, this decision was not subject to any sort of legal challenge, although there were, in my opinion, potential grounds for this. GCC subsequently sold the land with the benefit of this permission, albeit that it was never validated, due to a failure to pursue the associated requirements of a Section 106 agreement. Nevertheless, this process, whilst flawed, did effectively confirm that the development of the site was considered acceptable in principle."

I have referred this matter to the Local Government Ombudsman and am waiting on their judgement.

I would expect all of the previous Objections that were submitted against Planning Application 14/01276/OUT, Planning Application 17/02460/FUL and Planning Application 18/01661/FUL to also be taken into consideration against this recent Planning Application. If they are not then I would consider this remiss of CBC's Planning Office, as there were a lot of valid comments made by local residents which are still applicable to this Planning Application and a number of questions which remain unanswered.

There are quite a few reasons why the Planning Application should not be approved. As a resident of the area, I feel I am best placed to know the problems and issues the proposed new development will cause to the area and local residents. My concerns about this particular Planning Application are as follows:

- * There will be an increase in traffic and congestion to / from the area, which is already overburdened, during the development phase and once the houses have been built. According to the plans the proposed new development will be for 13 houses (14, 13, 10 and the 18 houses in previous Planning Applications). This busy school / residential area already suffers from high levels of traffic and congestion during school pick up / drop off times and once people have finished work. Residents of Wharfdale Square, Lucinia Mews, Stone Crescent and South Bank will be heavily impacted by this increase in traffic, as there is only a single entry / exit point to the area. Construction traffic would have to access the site via Wharfdale Square and Stone Crescent. Construction traffic may not be able to negotiate / manoeuvre these tight turns safely when there are cars parked on both sides of the road. The existing road on Stone Crescent via Wharfdale Square was not designed to sustain such a large, potential increase in traffic flow. There have already been instances of vehicles belonging to existing residents being damaged by having to avoid other large vehicles that pass through the square.

- * There will be severe disruptions to the lives of existing residents. At present when cars are parked outside their own properties it is difficult if not impossible for 2 moving cars travelling in opposite directions to pass one another, as the roads are very narrow. There is no mention of the amount of vehicular trips the site will generate and a trip generation exercise has not been undertaken. According to the plans the proposed new development will be for 13 houses - 2 bedroom (2 of), 3 bedroom (3 of), 4 bedroom (6 of) and 5 bedroom (2 of). This will total 47 bedrooms minimum. The number of parking spaces that are being provided is only 27.3 (According to NDH's Design and Access Statement), which is not enough for the suggested development. I can guarantee that

this new development will increase the number of cars passing through the area by more than 27.3 cars, based on the number of bedrooms in total. Table 5 / Bullet 1 of the Cheltenham Local Plan (Matters which may be the subject of Planning Obligations) states the following - "works to provide safe access to a site, to accommodate safely local increases in traffic due to the development, and to discourage the additional traffic from using unsuitable local roads". I do not feel that this Planning Application adheres to this requirement.

* We have one narrow entrance roadway into the area with cars permanently parked down one side of it which is a nightmare normally when entering and exiting the square. Add to this large lorries and building works vehicles on what is essentially a one way access is going to cause major issues. Then there is the added issue of how the block paved road itself will cope with the additional heavily laden lorries and diggers, etc. Has anyone visited the square at peak times (i.e. school drop off / pick up times) to see the issues that we currently experience?

* There will be a reduction in the amount of parking available in the area. Parking is already at a premium in the area. Construction vehicles parked in the existing estate will further exacerbate this problem. If contractors' and site workers' vehicles were to park in the existing development during construction, they would quickly swamp and block the existing development. This would be unacceptable for current residents. Construction traffic must not be allowed to park on the existing development if this Planning Application is approved. During school start and finish times cars are parked alongside the entrance to the square and all around it. Access is impeded by parents dropping off and collecting children from Rowanfield Infant and Junior schools, and using the square as a car park. There are a lot of cars parked illegally around this time, which has been highlighted to CBC and our Local Councillor Sandra Holliday on numerous occasions but they have chosen to ignore this fact, as it would involve them doing something about it and earning their keep. The entrance road is often double parked during these times, making passage even more difficult and dangerous. This will make it difficult for construction vehicles to enter / exit the site. An average of 2.1 cars has been allocated per house (This means at least 27.3 more vehicles.) in the proposed new development. This will increase exponentially if the dwellings are Houses in Multiple Occupation (HMO), which a high quantity of the existing houses in the area already are. What are CBCs parking guidelines - specifically what is the minimum level of car parking that proposed new developments should offer, according to its size? As I do not believe that the proposed new development provides sufficient parking space to meet these requirements. The proposed development is likely to generate a significant increase in the amount of local traffic and as such any loss of on-road parking could mean the loss of a valuable residential amenity.

Parking concerns have been highlighted on a number of occasions and were highlighted in the comments put in by 3 and 6 Stone Crescent when the 2014 Outline Planning Application (14/01276/OUT) was raised against the same plot of land. Parking concerns were also highlighted by local residents in objection comments put in against Planning Application 17/02460/FUL and Planning Application 18/01661/FUL respectively. It doesn't look like these comments have been taken into consideration in this recent Planning Application either as the number of parking spaces being made available per household has dropped. Some of these objection comments mention that there are already a high number of HMOs in the area, which have 4 - 5 cars each. Note, the Planning Office recently approved 16/00056/FUL for a house on Stone Crescent to be converted from a 6 bedroom to a 7 bedroom HMO. Where does it all stop!

* Annex 5 Manual for Gloucestershire Streets (4th Edition) 2016 - "Developers are encouraged to calculate the parking demand that would be generated by the proposed development using the methodology set out in the NPPF and submit this evidence with the planning application. 2011 Census data in respect of car ownership is available for super output areas and this should be the starting point for determining likely car ownership levels for your development". No justification for parking standards based on census data has been provided in the Planning Design and Access Statement.

* With the proposed new development there will be a loss of existing parking spaces at the end of Stone Crescent that are in regular use. Where will these cars park? You should visit Stone Crescent in the evening and see all of the parked cars you will be displacing if this Planning Application is approved.

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

* Please take the time to visit the local area at the pertinent times (e.g. school start times, school end times, in the evening when people have returned from work, when the refuse collections are taking place, etc.) prior to making a decision about the Planning Application. This clearly has not happened up to now as is apparent from comments made by residents against Planning Application 17/02460/FUL and Planning Application 18/01661/FUL. In a similar vein I would expect the NDH literature (Design and Access Statement) to be updated to reflect accurate images of the parking situation, as the image shown on Page 3 was clearly taken at a time of day when there is plenty of available parking (i.e. people are at work). This image has also been stretched (i.e. doctored deliberately) by the document creator to mislead the Planning Office into thinking that Stone Crescent is a lot wider than it actually is. See the image provided in the objection letter provided by 6 Stone Crescent (Planning Application 17/02460/FUL) to see an accurate representation of the parking situation in Stone Crescent. Also see the images in Gloucestershire Live

(<https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653> and <https://www.gloucestershirelive.co.uk/news/cheltenham-news/plans-new-housing-estate-could-1472592>)

to see an accurate representation of the parking situation at school pick up time. Against Planning Application 18/01661/FUL, I supplied Michelle Payne with a document which provides an accurate representation of the parking situation on Stone Crescent and in the local area. The provided document should be taken into consideration when making the decision about this Planning Application and was uploaded on 31/08/2018. A decision must not be based on the inaccurate representation of the current situation, which NDH has provided in their literature.

* Children can regularly be seen playing around the area throughout the day and there are also children walking to / from the school during school pick up and drop off times. This poses a health and safety issue, as during the development phase and post the development phase traffic flow will increase significantly, which also increases the chances of a traffic related incident / accident occurring. Pedestrian safety is imperative! No assessment has been made of the local highway network in terms of reviewing personal injury collisions in proximity to the site, etc. Note that there are no designated

footpaths / pavements in Wharfdale Square, so individuals (adults and children alike) are regularly seen walking on the roads as there is no alternative due to existing residents park outside their houses (i.e. effectively the pavement). Residents of the local area have over the years become aware of this and drive accordingly but there are still a number of 'near misses' in the area. The Cheltenham Local Plan (Para 14.25) states the following - "New development can endanger highway safety if poorly located or built without adequate infrastructure. Policy TP 1 seeks to limit development, which may harm highway safety."

* Hedges around Wharfdale square are renowned for blocking and impairing the vision of individuals driving around the square (i.e. lots of blind corners). There have been a number of near misses on the square due to the hedges being overgrown and not thinned appropriately, thereby making it difficult to see oncoming vehicles and increasing the potential of a traffic related incident / accident occurring. As near misses at these corners are already common with the current occupation and traffic levels, and are likely to increase, and lead to actual accidents, both during construction and after occupation of the new site, what are the Developers proposing to alleviate this? This has been highlighted to CBC's Parks and Landscapes department a number of times but they have said they only cut the hedges once a year. Construction vehicles entering / leaving the site via one entry / exit point will further exacerbate the issue as the roads are very narrow (especially with residents cars parked in front their houses). The road around the square is only wide enough for a single car most of the time.

* In order to ensure highway safety is not compromised, the following needs to be considered: traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians / cyclists.

* The Planning Application goes against a number of the areas highlighted in Core Policy 4 of the Cheltenham Local Plan (Safe and Sustainable Living). See Note 1 - "In assessing impact on amenity, the Council will have regard to matters including loss of sunlight and/or diffuse daylight (see note 2), loss of outlook, loss of privacy (see note 3), and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lights (see also policy CP 3 (sustainable environment), hours of operation, and travel patterns, including heavy goods vehicles (see also policy CP 5 (sustainable transport))." The noise level in the area will increase substantially during the development phase and once the houses have been built. The dust and dirt levels in the area will also increase during the development phase. Note, this estate in its current form was completed in 2001. As such, this will cause residents of the existing development unnecessary disturbance, disruption, stress and suffering. It will also have a huge impact on the privacy and views of existing properties and will result in them being overlooked. The proposed new development will obstruct the view of the playing field and trees, which to many people when purchasing their properties was part of the original appeal.

* The Planning Application does not ensure that there is adequate access for emergency and refuge access to the properties. Waste disposal vehicles already have a hard time getting around the area. They can regularly be seen reversing in and driving out of roads off the main square, as there is no turning area. Have you visited the area when the waste disposal vehicles are trying to get about? Construction vehicles will experience the same issues. This will increase the potential of a traffic related incident / accident occurring. Residents have commented that they regularly have to reverse into oncoming traffic on Alstone Lane when entering the square, to avoid a collision with traffic wanting to leave the square. No swept paths have been undertaken showing safe access / egress

of a refuge & emergency vehicle or the simultaneous access / egress of a refuge vehicle and large estate car. This must be carried out, as it poses a Health and Safety issue. The Cheltenham Local Plan (Para 14.45 and 14.46) states the following respectively - "Heavy goods traffic has increased considerably in the last 10 years, and with it problems of safety and air pollution." and "Heavy goods vehicles are an essential component of the economy of Cheltenham and those with local destinations will need to have access throughout the network. These vehicle movements are best accommodated on the main highway network using positive measures designed to steer them on to main roads and to discourage them from seeking alternative routes through sensitive areas." I consider construction vehicles to be of the same ilk as HGVs and as such believe that the proposed new development is a direct contravention of these principles.

* The NDH literature (Design and Access Statement) states - "The submitted arboricultural and ecology reports indicate how the development can help to support biodiversity whilst at the same time not harming what is present." What the submitted Planning Application does not mention is that trees have already been felled (circa 20 - 30) on the site of the proposed new development last autumn which previously protected the existing estate against the elements and provided homes to nesting / breeding birds and other wildlife including bats. These trees were at an elevated level and not at ground level on the proposed site, thereby providing residents with privacy, protection from the elements and providing homes for many birds & wildlife. The NDH literature (Ecological Appraisal) shows evidence in the second image that these trees existed as the tree stumps are still present. Also if you go on Google Maps you can see what the proposed area for development looked like before all of the trees were felled! I would suggest that the Tree Officer is made aware of this fact and asked to provide comment. The Cheltenham Local Plan (Policy GE 5 and Policy GE 6) discusses Protection and Replacement of Trees and Trees and Development respectively. These policies were not taken into consideration during the felling of these trees? Cheltenham Local Plan (Para 6.15) states the following - "Human life, health and well-being depend on a healthy natural environment. Vegetation contributes to the physical well-being of a town by absorbing carbon dioxide and releasing oxygen, so improving the quality of air. Acting as a baffle, it can also absorb and so reduce noise." The site of the proposed new development which is prone to flooding when there is heavy rain will be even more vulnerable now than it already is. The site currently functions as a sink for surface water from the surrounding higher area. Adjacent houses and roads already flood in wet weather. The Cheltenham Local Plan Objective 30 states the following - "to reduce the risk of flooding and flood damage." The Cheltenham Local Plan (Para 13.4) states the following - "The primary responsibility for safeguarding land and property against flooding lies with the owner." A number of the houses on Lucinia Mews, Brooklyn Road, etc. which back onto the proposed new development currently experience issues when it rains heavily (i.e. flooded toilets, sewage reflux, drainage problems, etc.). Have any of these residents been approached by NDH to advise how their development plans will impact these existing houses? A local resident has commented against Planning Application 17/02460/FUL, that Brooklyn Road experiences "localised flooding during and after periods of heavy rain." Has anyone in the Planning Office looked into this aspect, as it was highlighted to them during a meeting with them on 5th February 2018? Also, Severn Trent Water have been called out several times over the last few months to address drains overflowing on Brooklyn Road. This is without the proposed new development being factored into the equation. I would suggest that they are approached for comment. The Cheltenham Local Plan (Para 13.15 and 13.17) states the following respectively - "Development usually increases the area within a site covered by impermeable materials. This will result in an increase in the quantity and rate of surface

water run-off to watercourses. Many watercourses are susceptible to flooding, or are only capable of accommodating run-off under pre-development conditions. Additional run-off from development can instigate or exacerbate flooding. In addition, development within flood plains, as well as increasing the risk of flooding, can disrupt existing flood flow regimes, which, in turn, can result in damage to buildings, property and infrastructure. Supplementary Planning Guidance on Flooding and Sustainable Drainage Systems has been published which sets out in greater detail the requirements for sustainable drainage measures." and "PPG25 states that it is the responsibility of the developer to provide an assessment of whether proposed development is likely to be affected by flooding and whether the development will increase flood risk elsewhere. An assessment may also be needed of the risk of groundwater or local flooding due to overland sheet flow or run-off exceeding the capacity of drainage systems during prolonged or intense rainfall. The developer must satisfy the Council that any flood risk arising from proposed development can be successfully managed with the minimum environmental effect." I believe that the proposed new development is a direct contravention of these principles and that the Developer intends to direct excess water to Brooklyn Road. The dip in Brooklyn Road has standing water when it rains heavily and this is without the new development in place. There are regular drainage issues (i.e. overflowing onto the pavements) on Brooklyn Road, as I have already mentioned and I'm sure STW can also attest to this, as they can regularly be seen addressing these issues. Please can you confirm that a Flood Risk Assessment has been carried out to a satisfactory standard, as in NDH literature (Application Form) it states that the proposal is not within 20 meters of a watercourse and the proposal will not increase the flood risk elsewhere. Both of these are statements are incorrect as there is a ducted watercourse present on the site. Also in 2007 during the floods both the site of the proposed new development and Brooklyn Road were flooded. The site, as shown on Environment Agency flood maps, identifies the risk of pluvial flooding is classified as 'High' and 'Medium'. I would suggest looking into these aspects. As per NPPF guidance it is recommended, given the pluvial flood risk, that a Level 2 Flood Risk Assessment (FRA) is carried out to examine this risk in more detail. The Level 2 FRA should also demonstrate how, through the use of SuDS, the amount of surface water entering sewer systems or local watercourses is managed to minimise the risk of pluvial flooding. Considering the site is undeveloped greenfield land, it is vital to show how any excess surface water resulting from an increase in impermeable areas as part of the development is to be managed. Currently it looks as though the mitigation is to direct excess water to surrounding gardens, particularly those at the bottom of Brooklyn Road. Things will get worse for local residents now the trees have been felled, as they would previously have absorbed some of the rainwater during heavy rainfall. There seems to be a lack of transparency as we haven't yet been definitively informed who carried out this tree felling and for what purpose (i.e. assuming someone did something is not good enough, as we had from our local Councillor). The land was sold to NDH mid-2016 according to GCC yet we have the following statements from various individuals which are contradictory at best:

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

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

It should be noted that we didn't hear back from Sandra Holliday (Local Councillor) on this matter!

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

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

So 20 - 30 trees are felled on land belonging to NDH and they aren't aware of it and deny knowledge of it?!

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

* The drainage and power to the existing development is flaky at best normally, with drainage issues, power cutting off and low water pressure being a regular issue. Building new houses and linking them to the same systems and services will only cause more problems. We do not need any more problems!

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

* An Arboriculture Survey is required as one has not been submitted with this Planning Application. 20 - 30 trees have been felled by 'someone' and as mentioned above no-one seems to know who did it or aren't admitting to it; although at the time when it took place (late 2017) the land did belong to NDH. Are there any trees on the land for the proposed new development which have associated TPOs? Are there any roots belonging to existing trees which will potentially interfere with the proposed new development and as such need to be dealt with if this Planning Application is given the go-ahead? A Tree Protection Plan will also need to be produced to protect those trees to be retained during any building works. In all honesty this should have been carried out prior to 'someone' felling the 20 - 30 trees. It should be noted that there are an abundance of breeding birds

and other wildlife including bats which we are privileged to see in the summer evenings and we would not like to see ANY of the existing (remaining!) trees taken down.

* An ecological appraisal carried out in support of 14/01276/OUT (a previous Planning Application on the land) says "There are no specific records of bats within 1 km of the site". An ecological appraisal carried in support Planning Application 18/01661/FUL on the land says "No protected species were recorded during the survey, although the habitats present provided opportunities for protected species: Breeding birds. The cherry tree on Site provided suitable habitat for breeding birds." However, a comment made against 17/02460/FUL by a resident of Brooklyn Road says the following - "We regularly see many birds and bats around these trees so we believe further surveys should be carried out to ensure these species remain protected. These trees would also provide privacy to all houses, so should not be removed." I suggest further work is done to actually assess what the wildlife impact will be, as what is currently published is contradictory." The Cheltenham Local Plan (Para 6.16 and 6.21) state the following respectively - "Green spaces are essential in providing habitats for a wide range of flora and fauna. Some green spaces, particularly the more extensive and relatively undisturbed grounds of large houses and non-residential properties, may also harbour legally protected species such as barn owls, badgers and bats. Green spaces are therefore of significance to nature conservation." and "In its role as custodian of public green spaces the Council will seek opportunities to improve the value of existing spaces. PPG17 sets out that local authorities need to assess existing and future community and visitor needs for open spaces." I believe that the proposed new development is a direct contravention of these principles.

* Severn Trent Water have said the following against 17/02460/FUL:

"Severn Trent Water advise that there are public sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control office

Comments: 22nd November 2018

PARKING - As I have already alluded to in my previous comments, the image in NDH's Design and Access Statement gives an inaccurate representation of the parking situation on Stone Crescent. The image has been deliberately doctored to make the road look a lot wider than it actually is. The image was also taken at a quiet time, probably when local residents were at work. The document I have supplied to Joe Seymour today via email for upload provides an accurate representation of the parking situation on Stone Crescent and in the local area. The provided document should be taken into consideration when making the decision about this Planning Application.

LOCALISED FLOODING - As I have already alluded to in my previous comments, the area is prone to localised flooding when it rains heavily and the current drainage system in place is unable to cope with the current level of housing. It won't be able to cope with 13 more houses if this Planning Application is Approved. Section 11 of NDH's Application Form, which is in the Documents Section of this Planning Application, implies that there is no flood risk to the local area.

However, I was able to carry out a simple search on the Environment Agency Website (<https://flood-warning-information.service.gov.uk/long-term-flood-risk/>) using the postcode belonging to the plot of land in question - GL51 8DP. This search revealed that - "This location is in or near a flood risk area". The document I have supplied to Joe Seymour today via email for upload provides more detail about the message that the search output. It also shows a diagram which clearly shows that the area already suffers from surface water flooding issues. If the development is approved in its current state it will increase the area covered by impermeable materials leading to an increase in the quantity and rate of surface water and flooding. This is likely to cause issues to existing residents, who already suffer from drainage issues and reflux in their bathrooms, when it rains heavily. This excess water will be diverted to Brooklyn Road, which again according to the diagram is a flood risk area.

It should be noted that even without the new development, Brooklyn Road suffers from drainage issues. STW can attest to this, as they have been doing some work to address these issues. The new development will exacerbate these issues. Images of the existing drainage issues being suffered on Brooklyn Road are depicted in document supplied. The provided document should be taken into consideration when making the decision about this Planning Application. I also suggest going back to any archives you have for 2007 floods, as the plot of land in question and Brooklyn Road were flooded. I asked the following question back in January 2017 to CBC's Planning Office via Alex Chalk's Office and also via Sandra Holliday (my local Councillor) but never got a response - "If the area now floods and our houses are negatively impacted is CBC liable or will residents be expected to claim on their own house insurance due to a bad decision made by CBC?"

TREES - As I have already alluded to in my previous comments, 20 - 30 trees on the plot of land were felled by someone. No one has admitted to carrying out this activity and as such I would expect this matter to be investigated by the Tree Officer. I have provided a document which shows what the plot of land looked like prior to it being 'touched'. This can be compared to what it looks like now. Someone butchered the trees on this plot of land in the last quarter of 2017 yet no one has admitted to doing it. GCC confirmed via a FoIA Request that the land was purchased by NDH Mid-2016. Was any consideration given to the plants and wildlife (i.e. environmental impact) in the area before this action was taken? Was any consideration given to how the existence of these trees stopped and protected the surrounding areas from flooding? Was the Tree Officer or the Council made aware that this action was being taken?

As yet the GCC Local Flood Authority (LLFA) and the Tree Officer have not made comments against this particular Planning Application (18/02215/FUL). They raised concerns against the previous Planning Application (18/01661/FUL), which was due to be Declined in the November 2018 Planning Committee Meeting, prior to it being withdrawn by the Submitter. Please can you ensure these two Consultants provide their views on this Planning Application?

Comments: 23rd November 2018

Supporting documents/photos re parking, flooding and trees attached.

26 Cornwall Avenue
Cheltenham
Gloucestershire
GL51 8AY

Comments: 23rd November 2018

This is getting daft now - yet another tweaked proposal that does nothing to address the points made EVERY time: traffic, pollution, water runoff and the look of the houses compared to every other house in the area. Its now looking like this is going to be rehashed and submitted in the hope that everyone gets bored and CBC let it sail through. So, lets put down some of the same concerns that have been voiced on the previous attempts to get this proposal through:

TRAFFIC

With that many new houses with 3, 4 and 5 bedrooms you can assume that there will be multiple cars per property and a maximum, going on the plans, 2 spaces per property. In a house of 5 people, especially if its a HMO, there will be more than 2 cars meaning parking spills onto the streets to start with (and note the waste teams comments about the streets needing to be clear to get to bins) meaning the streets in the area, already full of cars, gets even more blocked therefore meaning emergency vehicles or the waste teams cannot reach areas they need to.

The roads in place within the area are only just large enough to cope with the traffic flowing in and out as it is, with vast increases around the school run time with illegal parking and children walking through the area. The traffic from the proposed site will have to still go through the same cramped roads.

The current parking / traffic flow problems have not been helped by the introduction of parking schemes around the railway station and surrounding roads. People who parked there before are now moving to park in Rowanfield as a whole meaning the area around the proposed site, and surrounding areas, are seeing a vast increase in traffic throughout the day.

The works traffic associated with the proposed plans will also have to travel through the same roads again greatly increasing the possibility of accidents and, if large vehicles come through, the chance of damaging the roads and underlying cables / sewers etc.

The increased traffic will also affect the quality of education given at the schools extremely close to the build site whether that be noise, air or dust pollution.

POLLUTION

With CBCs sudden interest in air quality within the town, extra vehicles from both the people living in the houses and the vehicles needed during the build process will decrease the quality in the air around the area. Can I ask to see any research into this before the proposed development goes through to the planning committee and what monitoring will be in place during and after the build to see the changes.

With a childrens centre, an infants school and a junior school very close to the area, a decrease in air quality and an increase in noise / dust pollution will greatly disadvantage their education.

WATER RUNOFF

The area in question is prone to flooding due to it be low lying compared to the surrounding land. As is visible at the moment (and has been for many months) in the immediate area of Brooklyn Road which is having a lot of water problems, water will run down the roads and flood local gardens. With the amount of ground being covered in roadways and houses on the proposed build site, the run off from that area will also flow towards Brooklyn Road further effecting the flooding concern there at the moment.

LOOK OF THE HOUSES

I was always under the impression that where a new housing development was proposed, the new buildings have to look similar to those in the surrounding areas. If anyone could tell me how that rule could be translated to show that the proposed design of the houses do somehow blend in with those not only in the whole area but the houses already right next to the proposed site it would be appreciated.

WILDLIFE

To date I still haven't seen a decent wildlife survey in the area. As said before there are bats (protected) in the area of the proposed building site and, as the very small parcel of land in question has been empty for a long time, no doubt other wildlife uses the area especially as we head into winter - hedgehogs (protected), foxes etc.

Perhaps CBC will do a survey themselves instead of depending on a brief write up from the developers.

No doubt if this proposal doesn't manage to get through the planning committee, we can look forward to another "tweaked" proposal that doesn't change anything that is being opposed by people in the area, namely the amount of housing being squeezed into a very small area that's been "tacked" only the back of an already built estate, the increased traffic flow along with the associated air quality / pollution question (something that CBC seems VERY hot on at the moment going on with the Boots Corner scheme) and the great increase that someone, most likely a child from the local school, being involved in an accident.

7 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 24th November 2018

I have previously raised concerns about the detrimental impact of this proposal. It will increase traffic in an already busy and congested small residential area. There have been a number of bumps and scrapes on cars and I have witnessed near misses. It will also worsen existing parking problems. It is difficult for existing residents to park safely and there are particular problems associated with parking connected to the school run at Rowanfield School and Children's Centre.

This application needs to be decided by democratically elected Members.

16 Wharfdale Square
Cheltenham
Gloucestershire

GL51 8DL

Comments: 22nd November 2018

I object to the current plans for new housing as serious issues still remain of concern to residents.

HEALTH AND SAFETY

The proposed housing development will bring additional congestion and present a significant safety hazard for children and residents in the area. The road around Wharfdale Square is narrow and has several blind corners. There is no dedicated footpath around Wharfdale Square and pedestrians and children use the road to walk along it most of the time. Young children frequently play within this cul de sac and the increased traffic will present a significant hazard and danger for them. It is impossible for more than one car to pass along the road and is already problematic especially when there are cars parked outside properties and refuse collection bins located in front of the houses. Larger vehicles such as SUV's, Vans and Trucks will struggle to park and drive along the road and likely to block access for other cars/residents.

The problem will only become worse with the new proposed housing and single point of entry and exit is already a severe bottleneck. The single and only entrance to Wharfdale Square is used by visitors for long-term parking due to lack of space within the cul de sac and also by parents on school runs for Rowanfield School. During peak times it is highly likely residents and the public with school children will find it difficult to drive in and out of the estate and will become very congested.

DRAINAGE AND RISK OF FLOODING

As already highlighted with photographic evidence and by environmental groups the land already has drainage issues and suffers from surface water, despite the presence of a grass playing field at the back of the estate which currently absorbs much run off rain water. The erection of this new development which will involve the putting down concrete for new paths and housing and put further strain on the drainage systems and exacerbate the problem of surface water of having nowhere to run off or soak into increasing the chance of localised flooding. It will also make it major hazard during the autumn and winter months if it were to ice over.

151 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 26th November 2018

I wish to protest against the development of 13 dwellings at Playing field adj. 10 Stone Crescent ref 18/02215/FUL for the following reasons.

The full report on Flood Risk Assessment covers the new development but not the houses in Brooklyn Road which has been described as the path way for excess water to flow through.

Paragraph 3.2 is misleading as it states "Recommended flood risk mitigation measures appropriate levels of perceived risk are included in this report" Then in paragraph 3.6 it states, "No mitigation measures are required"

The fact that the development will take away a field that absorbs surface water is a risk and something should be put in place to drain it away, rather than through the properties of the houses in Brooklyn road.

Paragraph 2.4 states King George V playing field is 1.60m high but what it does not say is that there are a further three more rises further up the field that water will run down from.

The report indicates flood risk in paragraph 3.15 by taking mitigation action on by raising the property floor level up 300mm to protect the site, but not the properties in Brooklyn road. No action taken or considered for this. This also changes the reports statement in paragraph 4.2 where it says "There are no significant changes in level between the remaining portion of the Rowanfield playing field to the West and the gardens of Brooklyn Road properties to the East". There now is a 300mm increase in height. Also, the report states "gentle fall from the south east to the northwest of approx. 1m and the ground levels vary between 99.70m to 98.70m." This is towards the properties in Brooklyn road. It is significant that there is an increase risk of the properties in Brooklyn road getting flooded and therefore the development should not go ahead unless adequate draining system is put in place to prevent this.

Note to finish on; The 12m leylandii trees have now been removed for safety reasons. Some have been replaced this year and the remainder next year, therefore, it will be many years before they will be using up water in the ground, as the original ones did.

8 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 27th November 2018

I would like to object to the planning application for the erection of 13 dwellings adjacent to 10 Stone Crescent. As I mentioned before, the access roads of Stone Crescent and Wharfedale Square are just not suitable to carry any more vehicles and they were not planned to be able to cope with the additional traffic. With a minimum of 3 cars per house on the new development making just two return journeys each day, there would be an additional 156 car journeys with a possibility of over 300. In Wharfedale Square there are limited footpaths so pedestrians and also many cyclists are required to use the road, so the additional traffic would be extremely dangerous. There are also two tight corners as you leave Wharfedale Square and enter Stone Crescent which are not suitable for this number of vehicles.

At the moment Stone Crescent is a short road but once extended it will become much longer enabling drivers to increase their speed as they approach the corners. As previously mentioned, the area around the school is highly congested at various times of the day and such an increase of vehicles making the turning onto Alstone Lane would increase the danger for school children.

12 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 26th November 2018

Given the information available at present, we have the following concerns and items of consideration:

Proposed size of development: the number of dwellings is excessive given the size of the site and limited access to the proposed dwellings by a single, existing road that was not built or designed to accommodate the volume of traffic associated with an additional site of this size.

Site traffic and site access:

Short-Term Implications: During the building phase, given that this is a residential area, this could potentially cause severe disruption and raises concerns of safety especially as access to current housing may be restricted i.e. by work vehicles. There is the potential for damage to the existing road surfaces. Access to large lorries and long vehicles is restricted on the street as it is at present.

Long-term concern: the existing road on Stone Crescent via Wharfdale Square was not designed to sustain such a large potential increase in traffic flow. There would also be loss of existing parking spaces at the end of Stone Crescent. As these spaces are in regular use we expect this would force road users to park elsewhere in the already congested area.

Susceptibility of proposed site to excess surface water: The site sits lower than surrounding land, could a new development on the site increase the risk of localised flooding both to the existing estate and the new houses? We don't believe that this has been fully considered, assessed or answered.

Planning Application 18/02215/FUL- Current parking situation in the area

Picture supplied by New Dawn Homes in their literature (revised design and access statement)

The image gives an **inaccurate** representation of the parking situation on Stone Crescent in order to support the approval on the Planning Application. It makes the road look a lot wider and quieter than it actually is.



Picture supplied by 6 Stone Crescent in their Objection Letter

The image gives an **accurate** representation of the parking situation on Stone Crescent and was provided by a concerned resident who lives on Stone Crescent in their Objection to Planning Application 17/02460/FUL. As you can see there are a lot more cars parked up. The entrance to the proposed new development is usually blocked by 2 – 3 cars every evening. This is not shown in this picture but is shown in some of the following pictures.



Numerous pictures taken by resident of Stone Crescent Parking

The following images gives an **accurate** representation of the parking situation on Stone Crescent.















Pictures taken by reporter from Gloucestershire Echo – School pick up time

The images gives an **accurate** representation of the parking situation around school pick up time and were taken by a reporter from Gloucestershire Echo and published in

<https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653>





Pictures taken by resident – School pick up / drop off times

The images gives an **accurate** representation of the parking situation around school pick up and drop off times.













































LOCALISED FLOODING


Screenshots of the message received when I input the postcode of the proposed development site

Environment Agency [GB] <https://flood-warning-information.service.gov.uk/long-term-flood-risk/risk?address=200002683345>

GOV.UK Long term flood risk information

BETA This is a new service – your [feedback](#) will help us to improve it.

11
STONE CRESCENT
CHELTENHAM
GL51 8DP





This location is in or near a flood risk area

All information, particularly the likelihood of surface water flooding, is a general indicator of an area's flood risk. As such it is not suitable for identifying whether an individual property will flood. This service uses computer models to assess an area's long term flood risk from rivers, the sea, surface water and some groundwater. It does not include flood risk from sources such as blocked drains and burst pipes.

Be prepared: things you should do

- 1** [Monitor news and weather forecasts](#)
Use radio, television and social media to keep up to date with flood events and weather conditions in your area
- 2** [Learn about flood planning](#)
Know how you'll respond to a flood if:
 - your home is at risk, for example how to get sandbags
 - you're responsible for a school, hospital, care home or other community group
 - you run a local business
- 3** [Protect your property](#)
Get organised now and improve your property's flood resilience.
Being at risk of flooding can affect your [insurance](#). Check if your buildings and contents policies cover flood risk.
- 4** [Know what to do during a flood or get help after a flood](#)
 - Flooding can affect transport networks and disrupt your travel plans
 - Flooding can impact your gas, electricity and water supplies
 - Even if flooding hasn't affected you directly, check on friends, family and the wider community


Environment Agency [GB] <https://flood-warning-information.service.gov.uk/long-term-flood-risk/risk?address=200002683345>  





weather conditions in your area

- 2** [Learn about flood planning](#)
Know how you'll respond to a flood if:
 - your home is at risk, for example how to get sandbags
 - you're responsible for a school, hospital, care home or other community group
 - you run a local business
- 3** [Protect your property](#)
Get organised now and improve your property's flood resilience.
Being at risk of flooding can affect your [insurance](#). Check if your buildings and contents policies cover flood risk.
- 4** [Know what to do during a flood or get help after a flood](#)
 - Flooding can affect transport networks and disrupt your travel plans
 - Flooding can impact your gas, electricity and water supplies
 - Even if flooding hasn't affected you directly, check on friends, family and the wider community
- 5** This location is in or near a flood risk area.
The flood risk from rivers or the sea is very low
[View map of river and sea flood risk](#)
The flood risk from surface water is medium
[View map of surface water flood risk](#)
[View detailed flood risk information for this area](#)

▶ [Other ways of getting this information](#)

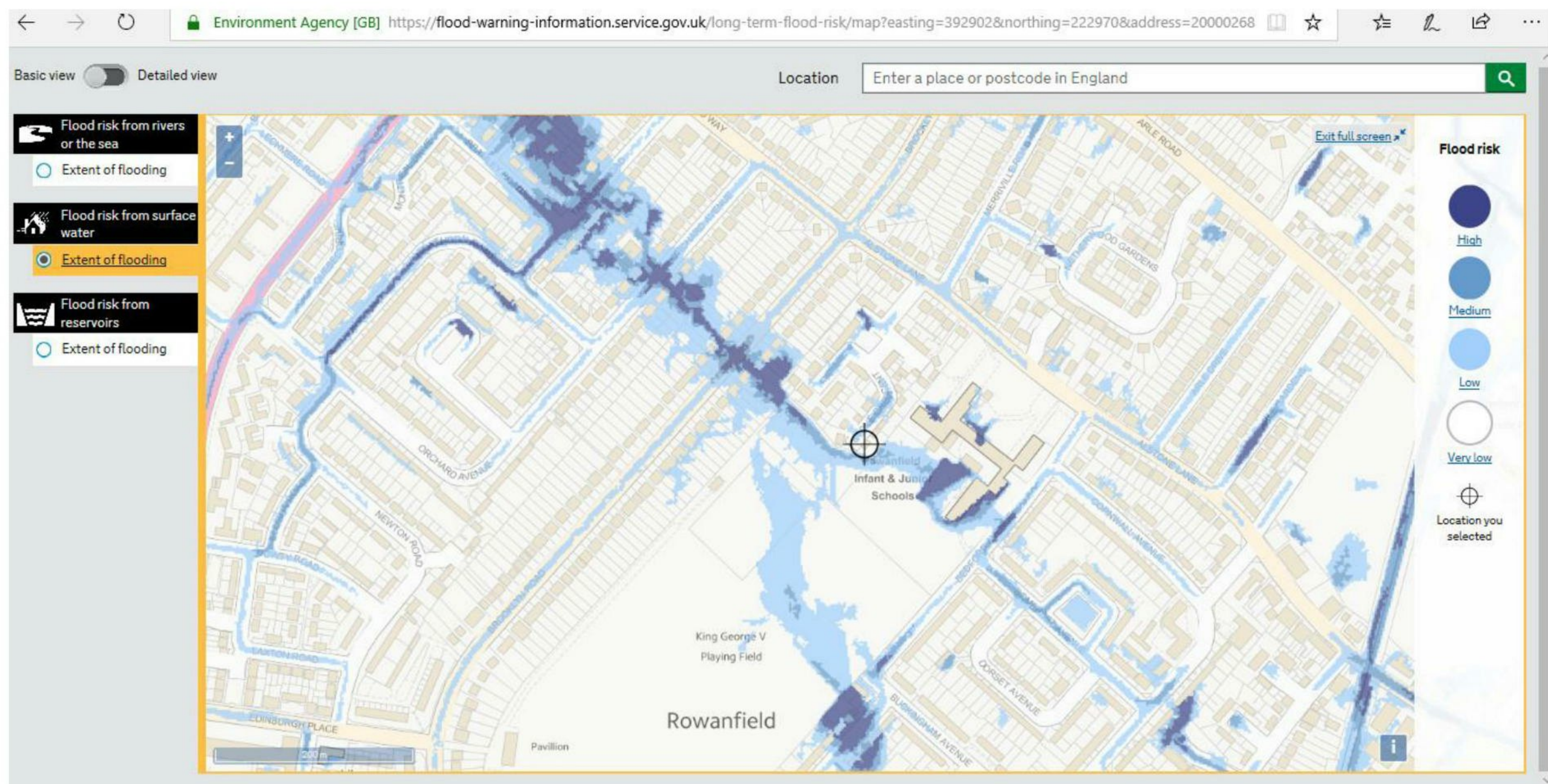
[View the flood risk information for another location](#)

30 August 2018  [Print](#)

 [Are there any current flood warnings here?](#)
 [National flood information service](#)
 [View the latest river and sea levels near you](#)
 [View the current national flood situation](#)

You are viewing this information in a secure browser.

Diagram showing flood risk



Existing drainage issues on Brooklyn Road















TREES

Someone butchered the trees on this plot of land in the last quarter of 2017 yet no one has admitted to doing it. GCC confirmed via a FoIA Request that the land was purchased by NDH Mid-2016. Was any consideration given to the plants and wildlife (i.e. environmental impact) in the area before this action was taken? Was any consideration given to how the existence of these trees stopped and protected the surrounding areas from flooding? Was the Tree Officer or the Council made aware that this action was being taken?



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APPLICATION NO: 18/01973/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 2nd October 2018		DATE OF EXPIRY: 1st January 2019
DATE VALIDATED: 2nd October 2018		DATE OF SITE VISIT: 9th October 2018
WARD: St Pauls		PARISH: n/a
APPLICANT:	Marcus Homes	
AGENT:	Stanley Partnership Architects	
LOCATION:	Dowty House Residential Home, St Margaret's Road, Cheltenham	
PROPOSAL:	Conversion and extension of building to create 28no. apartments (5no. one bed and 23no. two bed) following demolition of existing rear extensions	

RECOMMENDATION: Permit



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

1. DESCRIPTION OF PROPOSAL

- 1.1 This application proposes the conversion and extension of Dowty House, a vacant former care home, to create 28no. apartments (5no. one bed and 23no. two bed) following the demolition of an existing 1960's rear addition.
- 1.2 The site located on the northern side of St. Margaret's Road, at the junction with Monson Avenue, within the Principal Urban Area (PUA), and the Old Town Character Area of Central Conservation Area.
- 1.3 The application has been accompanied by the following supporting documents:
 - Planning Statement
 - Heritage Statement
 - Transport Statement
 - Design and Access Statement
 - Tree Report
 - Financial Viability Assessment
- 1.4 The application is before planning committee at the request of Councillor Hobley due to the level of concern amongst local residents. On initial review, the application was also objected to by the Architects Panel.
- 1.5 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Core Commercial Area
Local Listing
Residents Association
Smoke Control Order

Relevant Planning History:

None of any particular relevance to this application

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 4 Timing of demolition in conservation areas
BE 5 Boundary enclosures in conservation areas
BE 11 Buildings of local importance
GE 5 Protection and replacement of trees
GE 6 Trees and development

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction

SD4 Design Requirements
SD8 Historic Environment
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Old Town Character Area and Management Plan (Feb 2007)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Cheltenham Civic Society

15th October 2018

The Planning Forum would have appreciated a presentation on a scheme of this importance in a prominent location. A model or a number of 3D simulations are essential when examining a scheme of this importance.

The relationship to the existing locally listed building needs to have a visual break. This could be stunningly modern as a contrast to the Victorian Gothic of the former orphanage. Unnecessary references to the Victorian gables are misplaced.

The Planning Forum believe that this firm is capable of a far more imaginative scheme which would make the most of this prominent site.

We have concerns as to whether the planned parking provision and waste provision are sufficient. The location of the cycle storage seems to be poorly thought out.

26th November 2018

Additional comment: The forum is concerned that the submitted proposal appears to completely obscure the east façade of the existing Dowty House.

Architects Panel

19th October 2018

Design Concept

The scheme was presented to the panel by architect Bevis Stanley, Stanley Partnership, planning consultant, Mark Godson, SF Planning, and the applicant, Marcus Hawtin, Marcus Homes, with reference to plans, elevations and a selection of 3D model views of the proposed scheme. The Design and Access Statement was not presented.

The panel had no objection to the principle of the development; the demolition of the existing unsightly rear extensions to Dowty House and conversion and extensions to provide two bed and single bed apartments on this site is considered an entirely appropriate design brief.

The site plan looked convincing and well laid out but the panel had major misgivings over how the scheme was developed in three dimensions and generally felt the chosen

architectural language was incompatible with Dowty House; a distinctive building though not listed, is of special architectural interest and considered a heritage asset.

Design Detail

The panel did not agree with the overall design approach; the pitch of the roofs, the choice of materials, feature details, or the massing and juxtaposition of the new building next to the existing house. Design decisions appear to be driven by an attempt to cram as many apartments as possible on the site resulting in a bulky composition of disparate and incompatible building elements.

The panel questioned the need to build against Dowty House at all given the level changes and different construction details. Restoring defaced façades of Dowty House and keeping the new buildings quite separate might be a more appropriate design approach.

The panel would have liked to have seen the scheme in context with adjoining buildings down St. Margaret's Road, Monson Terrace and Northfield Passage. 3D model views did not include views along St Margaret's Road or adjacent to the approved North Place development.

Recommendation

Not supported.

Heritage and Conservation

5th December 2018

It is one of the core principles of the National Planning Policy Framework 2018 (NPPF) that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16, paragraph 192 of the NPPF requires local planning authority to identify and assess the particular significance of any heritage asset... taking into account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 193 of the NPPF 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraphs 193-196 set out the framework for decision making in applications relating to heritage assets and this assessment takes account of the relevant considerations in these paragraphs.

Dowty House is an attractive red brick and stone Victorian Gothic style building with a landmark qualities located at the junction of St. Margaret's Road and Monson Avenue. Notably it is locally indexed and located within the Central Conservation Area: Old Town Character Area. The Central Conservation Area: Old Town Character Area Appraisal and Management Plan (adopted February 2007) identify it as making a positive contribution to the conservation area. Historically it was built as an orphanage, with a large modern extension added to the rear. The building is currently vacant. The proposed works are for demolition of the large modern extension to the rear, conversion and extension of Dowty House to provide 28 apartments.

Notably the submitted supporting document within the application identifies Dowty House as a non-designated heritage asset. It should be noted Dowty House is a positive building within the Central Conservation Area and by virtue of this forms part of a designated heritage asset.

Concern is raised over the proposed scale and massing of the development which appears overly bulky in terms of its width and height within its immediate context, most notably Dowty House itself and the terraces houses on Monson Avenue. The proposed scale and massing is of an extent it is considered overdevelopment of the site. It is also considered to relate poorly to Dowty House, crowding its setting and creating an overbearing relationship, detracting from its visual appearance.

The proposal is therefore considered to neither sustain nor enhance the affected heritage assets as required by paragraph 192 of the NPPF. It should be noted a number of attempts have been made to negotiate amendments to the proposal to overcome these issues. However, the submitted amended schemes have failed to adequately address these concerns. It is therefore considered the proposed works would cause less than sustain harm to a locally indexed building and this part of the Central Conservation Area: Old Town Character Area. Paragraph 194 of the NPPF states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." Paragraph 196 of the NPPF states, "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, where appropriate, securing its optimum viable use."

The supporting information within the application does not specifically recognise it would cause less than substantial harm to the heritage asset and does not make a public benefit argument. The proposal is therefore considered to lack a clear and convincing justification, as required by paragraph 196 of the NPPF. This will need to be included within any reasons for refusal. Notwithstanding the lack of submitted information within the application, it is useful to draw out what the public benefits of the proposal could be. The main public benefits are considered to be; the removal of an incongruous modern extension from the rear of Dowty house, the re-use of brownfield land and the provision of 28 apartments within a sustainable location boosting housing supply in an area without an identified housing land supply. It is not considered these issues outweigh the great weight that needs to be given to the conservation of heritage assets required by Paragraph 193 of the NPPF as alternative, more sensitive schemes for the site have not been properly explored. It should be noted the advice on the weight given to the public benefits of the proposal is the considered opinion of the conservation officer only. It will be necessary for the planning officer to carry out the exercise required by paragraph 196 of the NPPF separately.

GCC Highways Development Management

24th October 2018

I refer to the above planning application received on the 9th October 2018 with Plan Nos: 1418(SK)037, 1418(SK)036, 1418, CTP-18-507, SP01, SK01, Parking Survey Data (Appendix C) and further supporting information.

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

Visibility

The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m 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 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Parking & Turning/ Internal Layout

The buildings hereby permitted shall not be occupied until the internal layout, vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 1418(SK)037, 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

Fire Hydrant

No above ground works 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 access and tackle any property fire in accordance with paragraph 110 of the National Planning Policy Framework.

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

Estate Road Maintenance

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

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 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 127 of the Framework.

Note: The applicant is advised that to discharge the above condition that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

Electric Charging Points

Prior to the occupation of the building(s) hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: - To ensure that the development incorporates facilities for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

Cycle Storage

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan 1418(SK)037 and those facilities shall be maintained for the duration of the development.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

Statement of Due Regard

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

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

29th October 2018

Additional comment:

Based on the submitted information (Transport Statement) the LHA are satisfied that within a 200m radius that the vehicles could park on-street, given the site's town centre location and the short distances to the local services and amenities via excellent sustainable infrastructure the LHA could not raise an objection solely based on displaced parking from the development.

Tree Officer

31st October 2018

The CBC Tree Section does not object to the proposed development on condition that agreement can be reached with Gloucestershire Highways regarding the removal of T4-(as described within MHP Arboriculture Tree Report of 2.10.18)

This report suggested that commuted sums of £36,000-£54,000 should be donated to CBC along with specific ring fencing to ensure this sum is for the provision of tree planting within the local area. However in that there is a lack of street trees in this area and that it is a mature street tree which is proposed to be removed, a separate agreement between GH and the developer should be reached with a view to this commuted sum. Whilst there are nearby Clarence and Wellington Squares, there is a less urgent need for new tree establishment in these parks as compared to street tree planting along the adopted highway within a 500M radius of this site. Previous on-site and post meeting discussions between the site arboriculturist and CBC and GH Trees Officers agreed a CAVAT (Capital Asset Value of Amenity Tree) value on T4 as £57,331 and as such provision for such should be made between GH and Marcus Homes for such local tree planting sums to be commuted.

If such an agreement cannot be reached, it would not be possible to build this proposal without serious damage to the roots of and the rooting area of this tree. The footprint of the proposal is well within the Root Protection Area of this tree. Similarly, given the nature of this mature lime tree, future occupants of the proposed dwellings would be likely to put significant pressure on the Highway authority to inappropriately prune or remove the tree as a result of honey-dew from the crown as well as other tree related debris/litter which would likely be causing nuisance to householders. Exercising the common law right to prune those parts of the canopy which are over the property boundary would unbalance the crown and seriously reduce the visual amenity of the tree.

Assuming the above agreement can be reached, the CBC Tree Section does not object to this application. Along with increased local Highway tree planting, there is a proposal to plant suitable new tree species within the site as well as protecting significant existing trees facing St Margarets Road. Similarly, provision is made for the protection of ground where new trees are to be planted to the front. It would be welcome if other ground to the north east corner where the dawn redwood is to be planted could also be protected during demolition and construction.

The submission of tree pit details could be left to a pre-commencement planning condition.

The foundation type of the proposed new build should take account of existing soil types and future tree root water extraction.

Gutter covers should be attached to all drains so as to reduce the nuisance experienced by any future occupants.

Social Housing

29th October 2018

Level of Affordable Housing Provision

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 28 residential units, however due to the Vacant Building Credit being applied the affordable housing contribution has been reduced to 6 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%	Social Rented	Intermediate (Shared Ownership)	Total	%
1 Bedroom 2P Flat	4	0	4	67 %
2 Bedroom 4P Flat	0	2	2	33 %
Total	4	6	6	100 %

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 the affordable housing (social 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.

On the 26th June 2018 as part of the drive to build the 23,000 new affordable homes that communities need, the government announced a Social Housing Investment boost to include at least 12,500 social rented homes in high cost areas. As Cheltenham has been identified as an area of high affordability pressure (this is defined as an area where there is a difference of more than £50 or more per week between average private rented sector rents and social sector rents) we are therefore requesting social rented properties to be built on this site.

Where possible the 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.

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

The intermediate housing should be shared ownership and 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 in accordance with the NPPF affordable housing definition.

Car Parking

Parking provision for affordable homes will be expected to be made available 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 Homes England.

Amendments to M4 (1), M4 (2) and M4 (3) of schedule 1 to the Building Regulations 2010 took effect on the 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 areas 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 Homes England 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 and will be marketed by

Help to Buy South. 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.

Joint Waste Team

12th October 2018

The entrance to this site is off of Monson Avenue right opposite the entrance/exit to the multi-storey car park. There is no loading bay from my understanding and so the waste collection vehicles would cause considerable inconvenience to motorists if they were expected to park on street and then go and fetch the receptacles from the bin storage area. There are also traffic lights on that road which would further exacerbate the problem.

The gateway would have to therefore be wide enough to allow a collection vehicle to reverse into it and then make the collection. Access would also be required between 07:00 & 17:00 every day including Saturdays to cover work following a bank holiday.

Gloucestershire Centre for Environmental Records

25th October 2018

Biodiversity Report received.

Severn Trent Water Ltd

23rd October 2018

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

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

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

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

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Environmental Health

2nd November 2018

Cheltenham has a Borough wide AQMA however the A4019 has some of the largest exceedances of the National Air Quality Objectives in the borough (2 Gloucester Road, 422 High Street and New Rutland) as advised in CBC's 2018 Annual Status Report. There is also an automatic analyser and 3 diffusion tubes placed on the corner of St Georges Street (approx. 200m from the development site) however it is worth pointing out that the National Air Quality Objective for NO₂ is not in exceedance at this location although remains very close. As such given that this proposed development is to be located in an area where there is the potential for the National Air Quality Objective for NO₂ to be exceeded it is my opinion that an Air Quality assessment be undertaken in the interest of protecting future residents.

In addition to air quality this development is also likely to be affected by noise from traffic utilising the A4019 and neighbouring NCP car park and as such a noise assessment is required to ensure that façade elements of the building ensure adequate protection to future occupants. The noise assessment is also to take into account noise from revellers at The Brewery Quarter which is located opposite the development site.

I would look to recommend approval to this application subject to the following conditions being attached to any approved permission.

- During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 08:00hrs -18:00hrs, Saturday 08.00hrs - 13:00hrs nor at any time on Sundays, Bank or Public Holidays.
- No development shall take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
 - parking of vehicle of site operatives and visitors
 - method of prevention of mud being carried onto highway
 - waste and material storage
 - Control measures for dust and other air-borne pollutants
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- No development shall take place until:
 - A proposal for an air quality assessment has been submitted to and approved by Cheltenham Borough Council Environmental Health.
 - If the assessment indicates that air quality is likely to affect this proposed residential development then a detailed scheme for protecting the future residential occupiers of the building from the effects of [nitrogen dioxide/airborne particulate matter] arising from road traffic shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed prior to the occupation of the building hereby approved, and thereafter maintained for the lifetime of the development.
- No development shall take place until an assessment on the potential for noise affecting this proposed residential development has been submitted to and been approved in writing by the Local Planning Authority. The assessment shall consider noise from road traffic and the commercial Brewery Quarter development across St Margret's Road.

If the assessment indicates that noise is likely to affect this proposed residential development then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The noise mitigation measures shall be designed so that the following criteria are met:

- Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB LAmax,F by more than 15 times)
- Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq
- Gardens and terraces (daytime) 55 dB LAeq

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer (member of the institute of acoustics) and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 24 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, 22 representations have been received in objection to the proposed development.
- 5.2 All of the representations have been circulated in full to Members but, in brief, the main concerns relate to:
- Overdevelopment of the site
 - Inadequate levels of on-site car parking
 - Heights of buildings and impact on light levels to neighbouring properties in Monson Avenue and Northfield Passage
 - Additional noise and disturbance
 - Loss of privacy
 - Loss of light caused by proposed tree in north-east corner of site
 - Design

6. OFFICER COMMENTS

6.1 Determining Issues

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

6.2 The site and its context

6.2.1 The application site is located on the northern side of St Margarets Road at the junction with Monson Avenue, within the Old Town Character Area of the Central Conservation Area.

6.2.2 The site is 0.2 hectares, and is occupied by Dowty House, a vacant former care home. The Old Town Character Appraisal identifies the building as a key unlisted building within the area because:

- Built between 1865-6, the building was originally constructed as an orphanage for boys, providing local interest;
- It is designed in Gothic style of architecture with lancet windows and a high-pitched roof. The bell-tower is also an interesting feature. It includes details and building materials typical of Cheltenham's mid/late 19th century educational buildings;
- Its size and positioning makes it a landmark building which contributes to the character and appearance of this area;
- It provides an historical anchor in an area that is presently under-going regeneration.

6.2.3 The external space within the site is largely hardsurfaced with vehicular access provided from Monson Avenue.

6.2.4 The site is bound by Northfield Passage to the north with residential properties on Monson Avenue beyond; and North Place car park to the east. Opposite the site to the west, is the multi-storey NCP car park, whilst The Brewery Quarter sits to the south on the opposite side of St Margarets Road. There are a number of grade II and II* listed buildings in the vicinity of the site.

6.3 Principle

6.3.1 Planning law requires that applications for planning permission must be determined in accordance with the development unless material considerations indicate otherwise.

6.3.2 Paragraph 11 of the National Planning Policy Framework (NPPF) sets out a "*presumption in favour of sustainable development*" which for decision-taking means approving development proposals that accord with an up-to-date development plan without delay.

6.3.3 Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal; as it stands, the Council is currently unable to demonstrate such a five year supply.

6.3.4 Additionally, adopted JCS policy SD10 (residential development) advises that in Cheltenham housing development will be permitted on previously developed land within the Principal Urban Area (PUA). As previously noted, this site is wholly located within the built up area of Cheltenham in a highly sustainable location, and the site is not the subject of any other designation that would rule out residential re-development in principle.

6.3.5 Therefore there is no fundamental reason to suggest that the general principle of developing this site for housing would be unacceptable subject to number of material considerations set out below.

6.4 Design and layout

6.4.1 Adopted 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 saved local plan policy CP7 and advice set out within Section 7 of the NPPF.

6.4.2 Paragraph 127 of the NPPF requires decisions to ensure that new developments *“will function well and add to the overall quality of the area...; are visually attractive...; are sympathetic to...the surrounding built environment...whilst not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place...; optimise the potential of the site...; and create places that are safe, inclusive and accessible”*.

6.4.3 The Architects Panel in reviewing the original submission raised no objection to the principle of the development or the demolition of the existing unsightly rear extensions to Dowty House; and considered the conversion and extensions to provide two bed and single bed apartments to be an entirely appropriate design brief. However, the panel *“did not agree with the overall design approach; the pitch of the roofs, the choice of materials, feature details, or the massing and juxtaposition of the new building next to the existing house”*. The Civic Society also suggested that a visual break was needed between the existing building and the new development, and that *“Unnecessary references to the Victorian gables are misplaced”*. Additionally officers raised similar concerns in relation to the link to the existing building, the varying eaves heights and roof pitches, and the cluttered elevations, together with concerns over the height of the new build.

6.4.4 The proposed scheme has therefore been amended during the course of the application in an attempt to address the main concerns raised by officers, the Architects Panel and Civic Society. Most notably, the building to the rear is now detached from Dowty House; the palette of external materials has been simplified; and the elevations have been streamlined. Additionally, a consistent roof pitch is proposed throughout.

6.4.5 The overall height of the building is consistent in height with Dowty House. The building is contemporary in its appearance, faced in charcoal colour brick and vertical standing seam zinc, to provide a contrast to the existing building, whilst coloured metal balconies would pick up on the red brick; additionally standing seam roofs are proposed in contrast to the slate roof of Dowty House. A modest, flat roofed extension to the east elevation of Dowty House would be similarly finished. A sample panel of the proposed brickwork will be available on planning view.

6.4.6 It is noted that the Architects Panel have questioned the design approach, that others may have adopted an alternative design approach, and the design may not be to everyone's taste; however, officers are satisfied that, subject to a high quality finish to the building, the design is one which can be supported.

6.4.7 With regard to scale and massing, whilst the Conservation Officer's comments have been duly noted, it is important to take account of surrounding developments that have quite recently taken place within the vicinity of the site, namely the NCP car park; The Brewery Quarter; and Pate Court, which was allowed on appeal. Additionally, it is also important to acknowledge the scale and massing of the development approved on the adjacent North Place car park site, in close proximity to the rear the nearby grade II* listed St Margaret's Terrace, which, whilst not implemented, was deemed to be appropriate to its context.

6.4.8 In this respect, the recent appeal decision on the nearby Pate Court site, which the Inspector allowed despite a strong objection from the Local Planning Authority, is quite pertinent; part of the LPA's reason for refusal having read:

As proposed, the building by virtue of its height, scale and massing represents an unacceptable overdevelopment that fails to adequately respond to its context. Architecturally uninspiring, the proposal provides for a monotonous and unrelieved mass and bulk that would be an incongruous addition to the locality.

6.4.9 It should also be remembered that throughout the NPPF emphasis is given to new development optimising the potential of the site; JCS policy SD10 also requires new residential development proposals to achieve maximum densities, whilst retaining the character and quality of the local environment.

6.4.10 The proposed development would also provide for limited car parking located on the rear portion of the site adjacent to Northfield Passage, with two additional undercroft parking spaces proposed; together with adequate refuse and recycling storage, cycle storage, and landscaping throughout.

6.5 Impact on the Historic Environment

6.5.1 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 192 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.*

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

6.5.3 The Conservation Officer suggests that the Heritage Statement submitted with the application incorrectly identifies Dowty House as a non-designated heritage asset, advising that it is a designated heritage asset due to its position within the conservation area; however, the Glossary at Annex 2 of the NPPF makes a clear distinction between designated heritage assets, and those assets identified by the local planning authority (including local listing). As such, officers do not agree that Dowty House has been incorrectly identified; it is the conservation area in which the building is located that is the 'designated' heritage asset.

6.5.4 The Conservation Officer has identified that the proposed development would result in 'less than substantial' harm to the conservation area. It is therefore necessary, in accordance with NPPF paragraph 196, to weigh this harm against *"the public benefits of the proposal including, where appropriate, securing its optimum viable use"*. In addition, the impact on the significance of Dowty House, as a non-designated heritage asset, must be taken into account, and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the heritage asset.

6.5.5 PPG paragraph 020 (Reference ID: 18a-020-20140306) sets out that public benefits can be *"anything that delivers economic, social or environmental progress"*, should *"flow from the proposed development"* and *"be of a nature or scale to be of benefit to the public at large"*. However, it also highlights that benefits do not have to be *"accessible to the public in order to be genuine public benefits"*. Heritage benefits may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting; reducing or removing risks to a heritage asset; or securing the optimum viable use of a heritage asset.

6.5.6 In this case, from a purely heritage perspective, the public benefits that would arise from the development is limited to the removal of the existing incongruous 1960's extension to the rear; and the future conservation of the non-designated heritage asset, which, in itself, would not outweigh the identified harm to the conservation area. However, there are a number of other public benefits that would arise from this development proposal, and these will be discussed later in this report.

6.6 Amenity

6.6.1 Saved local plan 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. That said, NPPF paragraph 123 advises that when considering applications for housing, local planning authorities *"should take a flexible approach to in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living conditions"*.

6.6.2 The development has been carefully considered to respect the amenity of adjacent land users; whilst it is acknowledged that outlook from neighbouring properties would undoubtedly be altered by the development, officers are satisfied that the proposals would not result in any significant overlooking or loss of privacy, outlook or daylight to these neighbouring dwellings.

6.6.3 The upper floor windows in the north elevation which will serve habitable rooms are in excess of 15 metres to the boundary with 16 Monson Avenue, well in excess of the 10.5 metres normally sought. Elsewhere, the upper floor windows to the east facing elevation of the new building, which would be in close proximity to the boundary with North Place car park, would serve landings and hallways; it is therefore not considered unreasonable to attach a condition which requires these windows to be obscurely glazed to safeguard the future development potential of the neighbouring site.

6.7 Parking and highway safety

6.7.1 JCS policy INF1 advises that planning permission will be granted only where the impacts of the development are not severe, and 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 9 of the NPPF. JCS policy SD4 also highlights the need to prioritise movement by sustainable travel modes.

6.7.2 Vehicular access to the site would continue to be provided from Monson Avenue; with 8no. car parking spaces proposed within the site. It is noted that the low level of parking provision is of concern to local residents but, as members will be aware, there are currently no parking standards throughout Gloucestershire. Although local residents already experience problems with parking in this area, particularly permit parking, this is not unusual in town centre locations such as this. Low levels of parking must be acceptable in highly accessible locations such as this, given the ambition to encourage the use of sustainable modes of transport; covered cycle storage for 28no. cycles is proposed within the site.

6.7.3 An assessment of the development proposals has been undertaken by the County Council as the Local Highway Authority (LHA) whose 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.

6.7.4 Having reviewed the submitted Transport Statement, the LHA are satisfied that, within a 200m radius of the site, vehicles could park on-street; and given "the site's town centre location and the short distances to the local services and amenities via excellent

sustainable infrastructure the LHA could not raise an objection solely based on displaced parking from the development”.

6.7.5 The Joint Waste Team have raised concerns over waste collection, as there is no loading bay, suggesting that the entrance should be wide enough to allow a refuse collection vehicle to reverse into the site; stating that it would “*cause considerable inconvenience to motorists if they were expected to park on street and then go and fetch the receptacles from the bin storage area*”. However, this must be the existing situation, not just in Monson Avenue but in the surrounding streets also. It should be noted that the refuse and recycling store has been located in the most accessible position, just inside the entrance. Additionally, the LHA has raised no concerns in relation to waste collection.

6.8 Affordable housing and other planning obligations

6.8.1 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. Where the development cannot deliver the full affordable housing requirements, the policy sets out that a viability assessment, in accordance with policy INF7 will be required, and where necessary this will be independently appraised at the expense of the applicant.

6.8.2 JCS policy INF7 states that:

Arrangements for direct implementation or financial contributions towards the provision of infrastructure and services required as a consequence of development, including its wider cumulative impact, and provision where appropriate for its maintenance, will be negotiated with developers before the grant of planning permission. Financial contributions will be sought through the S106 and CIL mechanisms as appropriate

6.8.3 In this case, the application proposes 28no. dwellings and therefore policy SD12 is triggered; a policy compliant 40% provision of affordable housing would equate to 11no. affordable units. Additionally, for a development of this nature, contributions to education and libraries may also be required in line with JCS policy INF6.

6.8.4 Notwithstanding the above, vacant building credit (VBC) is applicable on this site. VBC is an incentive for development on brownfield sites that contain vacant buildings that would be brought back into a lawful use, or would be demolished to be replaced by a new building. It offers developers a financial credit equivalent to the existing gross floorspace of the building for the purposes of calculating any affordable housing contribution; affordable housing contributions only being required for any increase in floorspace. The credit does not apply where buildings have been abandoned, i.e. where it has been made vacant for the sole purposes of re-development, which is not case here.

6.8.5 Taking VBC in account, the number of affordable units that could be sought as part of this development is 6 units; this is based on an additional gross floorspace of 1307sqm.

6.8.6 In response to policy SD12, the applicant has submitted a Financial Viability Assessment prepared by Alder King to demonstrate that a full affordable housing requirement cannot be provided. This viability assessment has been independently reviewed by the District Valuer Service (DVS), the specialist property arm of the Valuation Office Agency (VOA) which provides independent valuation and professional property advice to bodies across the public sector. The DVS report concludes that a scheme for 28 flats including 6 affordable units would not be viable, but that an all private scheme of 28 flats would result in a surplus which could be converted to a contribution of £91,113 towards affordable housing within the borough. The applicant has accepted the outcome of the DVS report.

6.8.7 In addition to the above, the redevelopment of the site would require the removal of a mature Lime tree located within the highway outside of the site. The removal of this tree is not objected to by the Trees Officer, or Gloucestershire Highways, subject to securing a commuted sum towards new street tree planting within the local area. The public amenity value of the tree in monetary terms has been calculated using the Capital Asset Value for Amenity Trees (CAVAT) tool; the agreed value has been calculated at £57,331.

6.8.8 The above contributions, £91,113 towards affordable housing and £57,331 towards replacement street tree planting, would be secured through a S106 agreement.

6.8.9 With regard to education and library contributions, the S106 Officer at the County Council has advised that the scheme would create a need for less than one pre-school, primary and secondary school place, and as such, no contributions towards education or school places are required. They have, however, sought a contribution £5,488 towards library facilities; which would go towards “increasing access to the library and services provided (to include increase in opening hours, increase in accessibility and support for digital and IT facilities, increase in information resources and/or the renewal of library stock, furniture or fittings).”

6.8.10 With regard to the above library contribution, although officers recognise the need to invest in the library service, given the viability of the scheme and the desire to secure the maximum contribution towards affordable housing, the library contribution does not form part of the S106 agreement on this occasion.

6.9 Conclusion and recommendation

6.9.1 As previously noted, paragraph 11 of the National Planning Policy Framework (NPPF) sets out a “*presumption in favour of sustainable development*” which for decision-taking means approving development proposals that accord with an up-to-date development plan without delay.

6.9.2 Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal; as it stands, the Council is currently unable to demonstrate such a five year supply, this being confirmed in a ‘Joint Core Strategy Review Issues & Options Consultation’ report to Council in October 2018.

6.9.3 It has been identified above that this development would lead to ‘less than substantial’ to the conservation area, a designated heritage asset; it is therefore necessary to carry out a balancing exercise to see if the benefits arising from the scheme would outweigh this harm.

6.9.4 The benefits that could reasonably be attributed to this proposal are:

- An important contribution to the supply of housing within a highly sustainable town centre location, including a contribution towards the provision of affordable housing, which, in light of the current situation whereby the local planning authority cannot demonstrate a five year supply of deliverable housing sites, must be afforded substantial weight.
- The removal of the existing 1960’s extension which is acknowledged by the Conservation Officer as being an incongruous feature – limited weight

- The future conservation of the non-designated heritage asset, Dowty House, which is recognised of being of local historic value – limited weight
- The provision of jobs within the construction industry for the duration of the development, albeit only moderate weight can be afforded given the temporary nature of the development.

6.9.5 With all of the above in mind, officers are of the view that the public benefits of the scheme tip the balance in favour of granting planning permission, and that the less than substantial harm to the conservation area, would not significantly and demonstrably outweigh these benefits.

6.9.6 The recommendation therefore is to grant planning permission subject to a signed S106 agreement to secure the financial contributions towards affordable housing and replacement street tree planting.

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 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) allocate space for the storage of waste;
- vi) specify the intended hours of construction;
- vii) specify measures to control the emission of noise, dust and other air-borne pollutants;
- viii) provide for wheel washing facilities;
- ix) specify the access points to be used and maintained during the construction phase; and
- x) include measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policies SD14 and INF1 of the Joint Core

Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable impact during construction.

- 4 Prior to the commencement of development, a scheme for an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. If the assessment indicates that air quality is likely to affect this proposed residential development then a detailed scheme for protecting the future residential occupiers of the building from the effects of nitrogen dioxide/airborne particulate matter arising from road traffic shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed prior to first occupation of the building, and thereafter maintained for the lifetime of the development.

Reason: In the interests of the amenity of future residents, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the use could have an unacceptable impact on future residents.

- 5 Prior to the commencement of development, an assessment on the potential for noise affecting this proposed residential development shall be submitted to and been approved in writing by the Local Planning Authority. The assessment shall consider noise from road traffic and the commercial Brewery Quarter development across St Margarets Road.

If the assessment indicates that noise is likely to affect the development then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The noise mitigation measures shall be designed so that the following criteria are met:

1. Bedrooms (night time - 23.00 to 07.00) 30 dB LAeq (individual noise events should not normally exceed 45 dB L_{Amax}, F by more than 15 times)
2. Living Rooms (daytime - 07.00 to 23.00) 35 dB LAeq
3. Gardens and terraces (daytime) 55 dB LAeq

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer (member of the Institute of Acoustics) and shall take into account the provisions of BS 8233:2014 Guidance on sound insulation and noise reduction for buildings.

The approved scheme shall be implemented prior to first occupation and be permanently maintained thereafter.

Reason: In the interests of the amenity of future residents, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the use could have an unacceptable impact on future residents.

- 6 Prior to the commencement of development, drainage plans for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details prior to first occupation of the development.

Reason: 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, having regard to adopted policies SD14 and INF2 of the Joint Core Strategy (2017). Approval is required upfront as any works on site could have implications for drainage, flood risk and water quality in the locality.

- 7 Prior to the commencement of development (including demolition and site clearance), an Arboricultural Monitoring scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- i) person(s) to conduct the monitoring;
- ii) foundation type of the proposed new build (which should take account of existing soil types and future tree root water extraction);
- iii) gutters covers (which should be attached to all drains so as to reduce the nuisance experienced by any future occupants);
- iv) the methodology and programme for reporting; and
- v) a timetable for inspections.

The works shall not be carried out unless in accordance with the approved details.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved 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.

- 8 Prior to the commencement of any works above ground level, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority, and no apartment shall be occupied until the hydrant serving that property has been provided in accordance with the agreed scheme.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to access and tackle any property fire, having regard to adopted policy INF6 of the Joint core Strategy (2017), and paragraph 110 of the National Planning Policy Framework.

- 9 Notwithstanding submitted details, 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 first been submitted to and approved in writing by the Local Planning Authority.

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

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

- 1. All windows and external doors (including details of materials, colour, finish, cill, head, reveal, opening mechanism and glazing systems);
- 2. Boundary walls/fences and retaining wall structures (including details of materials and samples when requested);
- 3. Flues, vents and any other external pipework;
- 4. Rainwater goods;
- 5. Balustrade/balcony screening and any safety rail guards;
- 6. Roof plant/structures, lift overrun and any roof enclosures;
- 7. Extraction and ventilation apparatus and equipment; and

8. Fascias and cappings.

Reason: To preserve or enhance the character or appearance of the conservation area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 11 The external facing brickwork and installation of cladding shall not be carried out unless in accordance with sample panels of the brickwork and cladding, of at least one square metre, which shall have first been constructed on site and approved in writing by the Local Planning Authority. The approved sample panels shall thereafter be retained on site and made available for inspection by the Local Planning Authority for the duration of the construction works.

Reason: To ensure that the new brickwork and cladding is sympathetic and appropriate within the conservation area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 12 Following demolition of the existing two storey extension to the rear of Dowty House, as illustrated on the approved plans, and once the remaining rear walls of Dowty House are exposed, the rear of Dowty House shall not be finished until elevations and floor plans of the exposed rear part of the building have been submitted to and approved in writing by the Local Planning Authority. The rear of Dowty House shall thereafter be completed in accordance with the agreed details.

Reason: To ensure that the exposed rear elevation is sympathetic and appropriate within the conservation area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 13 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m 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 0.6m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 108 and 110 of the National Planning Policy Framework.

- 14 Prior to first occupation of the development, the internal layout, vehicular parking and turning facilities shall be provided in accordance with approved Drawing No. 1418(SK)047, and those facilities shall be maintained available for those purposes thereafter. The car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided, and to ensure that the development incorporates facilities for charging plug-

in and other ultra-low emission vehicles, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 108 and 110 of the National Planning Policy Framework.

- 15 Prior to first occupation of the development, secure cycle storage facilities for 28no. cycles shall be provided in accordance with approved Drawing No. 1418(SK)047, and those facilities shall be maintained available for those purposes thereafter.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use, and to ensure that the appropriate opportunities for sustainable transport modes have been taken up, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraph 108 of the National Planning Policy Framework.

- 16 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority, and the storage facilities shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 17 Prior to first occupation of the development, details of the proposed arrangements for future management and maintenance of the proposed vehicular access within the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular access 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 scope for conflict between traffic and cyclists and pedestrians, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 108, 110 and 127 of the National Planning Policy Framework.

- 18 Prior to first occupation of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include Travel Information Packs to new residents providing residents with incentives as set out within the application. A Travel Plan Coordinator shall be appointed to support the implementation of the travel plan thereafter.

Reason: To ensure that the appropriate opportunities for sustainable transport modes have been taken up, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraph 108 of the National Planning Policy Framework.

- 19 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 (including tree pits details) 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.

Reason: In the interests of the character and appearance of the area, and to ensure that the planting becomes established, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4, SD8 and INF3 of the Joint Core Strategy (2017).

- 20 The development hereby approved shall not be carried out unless in accordance with the approved Tree Report (mhp Project no. 18098, Issue no. V3) and the protective measures specified within the Tree Protection Plan (Drawing No. 18098.302 A) shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).

- 21 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the upper floor windows to the east facing elevation of the new building shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

Reason: To safeguard the future development potential of the neighbouring site, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 22 Unless shown on the approved plans, or as part of condition compliance, no satellite dishes or other aerials, meter boxes or external cabling shall be affixed to the external elevation(s) of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve or enhance the character or appearance of the conservation area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 the delivery of a contribution to affordable housing of £91,113, and a contribution towards street tree planting in the vicinity of the site of £57,331.
- 3 The applicant/developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure required by condition 8 above.
- 4 The applicant/developer should note that, to discharge condition 17, the Local Planning Authority may require a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- 5 The applicant/developer is advised that the reasonable working hours during the construction phase are Monday to Friday 08:00-18:00, and Saturday 08:00-13:00, with no working at any time on Sundays, Bank or Public Holidays.
- 6 The applicant developer is advised that there may be a public sewer located within the application site. Whilst Severn Trent Water's statutory sewer records do not show any public sewers within the site, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. The applicant/developer should therefore contact Severn Trent Water to discuss the proposals.

APPLICATION NO: 18/01973/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 2nd October 2018		DATE OF EXPIRY : 1st January 2019	
WARD: St Pauls		PARISH:	
APPLICANT:	Marcus Homes		
LOCATION:	Dowty House Residential Home, St Margaret’s Road, Cheltenham		
PROPOSAL:	Conversion and extension of building to create 28no. apartments (5no. one bed and 23no. two bed) following demolition of existing rear extensions		

REPRESENTATIONS

Number of contributors	22
Number of objections	22
Number of representations	0
Number of supporting	0

14 Monson Avenue
Cheltenham
Gloucestershire
GL50 4EN

Comments: 23rd October 2018

I wish to object to the planning application 18/01973/FUL. I consider it to be unnecessary over development of the site. I object for a number of reasons:

1. Only eight parking spaces are provided for the 28 apartments this will put unacceptable pressure on the existing residents parking facilities in Monson Avenue and Clarence Square.
2. The three and four storey height of the bulidings will effect the quality of light to the neighbours on the northern side, Monson Avenue and Northfield Passage.
3. 28 apartments so close to the north end of the site will result in additional noise and disturbance to the neighbours.
4. the height of the building on the northern end of the site will result in a reduction of privacy to the neighbouring properties.
5. the planting of a tree in the northern corner will effect light and sunshine for the properties adjacent to the development.

Finally I do not object in principle to Dowty House being developed for residential use but consider the proposal an over development of the site particularly on the northern end which will impact negatively on the neighbouring properties for the reasons given above.

15 Monson Avenue
Cheltenham
Gloucestershire
GL50 4EN

Comments: 26th October 2018

I am very concerned about the proposed development of Dowty House and wish to object in the strongest possible terms. The height of the proposed buildings on the Northern end of the site will reduce the light to the neighbouring properties and gardens. The height and size of the buildings will also have a negative visual impact and reduce privacy for residents in Monson Avenue and Northfield passage.

The plans include building on the existing carpark in the North-East corner, this will not only reduce the level of light to neighbouring properties but limit parking facilities on the site. The neighbours will also have to deal with an increase in noise and loss of privacy. The plan includes the planting of a tree in the North-East corner this is completely inappropriate as this too will reduce light and visibility for the neighbouring properties.

The proposal only allows for 8 parking spaces for 28 apartments. Whether the development is in resident Z10 or Z11 the result will be that the new occupants and visitors to the site will be forced onto neighbouring roads where parking is already extremely difficult. The scheme needs to allow enough parking for the number of apartments plus any visitors, 8 spaces is wholly inadequate.

Whilst I am in favour of the site being developed for residential use, I believe the over development and lack of parking make this proposal unsuitable and it will have a negative impact on the area, particularly the existing residents.

16 Monson Avenue
Cheltenham
Gloucestershire
GL50 4EN

Comments: 23rd October 2018

Our concerns:

Parking

The development only has 8 parking spaces (the property currently has at least 12). It references in support two other planning applications. For both of these there was no original parking capacity, whereas the developer intends to reduce the parking spaces available. Plus Dowty House is in a residential area where resident parking is already stretched.

It is unrealistic to expect the other (20) owners to be happy to "choose to live without a car" as stated in the Parking report, when car ownership (and usage) in the UK is going up. Also how is it possible to know this? If all new owners without a parking space apply for resident permits - 2 permitted per property - this will be an increase in 40 cars. Where will they park? Even if owners don't use their car(s) they still need somewhere to park them!

Monson Avenue is a residential street, with terraced housing on both sides. There is on-street parking on one (East) side of the street only, for approx. 10 cars. This is already under pressure with insufficient parking for the current households, some of whom need easy access due to disabilities and wheelchair use, or school age children. Also, other residents in the Parking Permit zone use the parking on Monson Avenue for easy access - and free parking - to the town centre. Monson Avenue and the surrounding area, as shown by the Parking Report, would not be able accommodate more cars.

As the current parking spaces at Dowty House (at least 12) have not caused any access issues, the development should be at least able to provide this number. This would be easily achieved by losing the 2 apartments in the NE corner of the site.

Further the main provision for cycles (only shown on 1 plan, the "Proposed Ground Floor Plan") appears to be in the garden of 1 or 2 flats, with restricted access to it. Again, redesign and increase of the parking area would allow better placement and access to cycle parking.

Design & Density

Dowty House is a landmark property and heritage asset in Cheltenham, of unique architecture and build and with "Local Interest" status. The roofline of the new development is just slightly lower than that of the existing building. The dense development of up to 3 storeys will detract from the original building and crowd out the bell tower, which is its key architectural feature. The height of the proposed development is also out of keeping with the houses on Monson Avenue, which are one storey lower than the proposed redevelopment. The application references "colour" on the facades, which sounds terrible! Such modern design would also be detrimental to the beautiful windows on the existing West façade of Dowty House. The apartments in the NE corner of the site are close to the houses on Monson Avenue and Northfield Terrace, and will impact the light and sun currently enjoyed by those properties.

The planning makes references to the approved planning for North Place to justify the development having 3 storeys. The North Place project may or may not go ahead and does not exist for now. It would be more relevant to refer to actual, existing buildings of Monson Avenue and to consider the impact of such a dense development on an existing residential street.

Tree in NE corner

The tree report suggests the planting of a redwood in the NE corner. We ask that no tree of any height or volume is planted here as it is directly in the line of sight of the Monson Avenue gardens and would cast shade over them at certain times of the year as well as depositing deciduous tree waste on Northfield Passage, a pedestrian alleyway. Assuming North Place car park will be redeveloped at some point, the tree will not become a "worthwhile skyline feature" as suggested. A tree here would also impede access to the redevelopment's main cycle provision?

Other comments

The planning application only has a 3D image for the West facade so it is not possible to fully understand the impact of the development. It also does not detail the beautiful glass windows on the West side of Dowty House - and so does not show how the suggested design is out of keeping with them.

The Proposed Elevation of the West facade does not show the full extent of the development into the current parking area, and therefore it does not show how close the apartments in the NE corner will be to terrace of Monson Avenue.

As noted above provision for cycles is only shown on 1 plan, the "Proposed Ground Floor Plan". The developer does not seem to have made adequate provision for cycle storage.

13 St Pauls Parade
Cheltenham
Gloucestershire
GL50 4ET

Comments: 26th October 2018

I support the provision of more housing, particularly affordable housing. Nonetheless I object to these plans as they stand.

Parking

It is unclear whether these plans provide for 6 or 8 parking spaces for the 28 flats - in either case it is insufficient. Previously when it was a nursing home, there were 12 spaces for staff and visitors. They were also entitled to 2 business parking permits. Now with far more residents they have reduced the parking provision.

Due to an anomaly Dowty House is in Parking Zone 11 (St Paul's) rather than the adjacent Parking Zone 10 (Pittville which includes Monson Avenue and Clarence Square). Zone 11 is already oversubscribed in that there are more parking permits issued than on street spaces

available. A permit is no more than a licence to hunt to a parking space in the zone, and already St Paul's residents are having to drive round to find a space and are often not able to park near their home.

Adding a potential net increase of 54 permits (2 per flat) to this situation, will make it yet harder for Zone 11 residents, including any new Dowty House residents to find a parking space. Dowty House residents will also have to park several streets from their home, the nearest spaces being in Wellesley Road or Dunalley Street.

The parking survey carried out by the developer's transport consultants is flawed on at least 2 counts.

- (1) They carried out the survey on neighbouring streets. It is not clear if they limited the survey to ones on which Dowty House residents would be permitted to park with a Zone 11 permit.
- (2) The survey was carried out before the University term started. St Paul's has a large student population, many of whom bring cars to university with them. Combined with short term parking for University staff and visitors, this means there is a very high demand for parking spaces available in Zone 11 during term time.

The parking permit scheme in St Paul's was introduced at least in part in response to resident demand due to the difficulty they had in being able to park. These pressures were highest at the eastern (Clarence Square) end of the zone. It has improved the situation, but if a potential 50+ permits are added to the mix, St Paul's residents may find themselves worse off than they were before, having paid for permits but still struggling to park.

St Paul's residents share the same amenities as the Dowty House site, proximity to the town centre shopping and leisure facilities and public transport links. But like any potential residents of these flats, many of them still need to run cars or vans, for work, for commuting, and for longer journeys or journeys late at night or early in the mornings which are not well served by public transport.

Other issues

Many local residents now receive frequent deliveries (e.g. supermarket shopping, furniture). There doesn't seem to be adequate provision in the design for delivery vehicles to come on site. Waste storage provision seems inadequate, especially given fortnightly collections and increased demand for separate bins to sort recycling.

The cycle provision is in an inconvenient location, so is not likely to encourage residents to cycle or store their bikes there.

Dowty House is in a very prominent location and is a locally listed building. The scale and bulk of this proposed extension dwarf the original building and do not add anything aesthetically. Just because it has a multi storey car park opposite and the back end of the Brewery development, does not mean it should emulate the design of either. The previous extension had no architectural merit, but being single storey, it was discreet and didn't detract from the appearance of Dowty House itself.

During the development, please can CBC/ Highways ensure that no pavements or roads are obstructed. It is not easy for pedestrians to cross back and forth across the ring road to make a detour if the pavement is closed. Similarly, if the pavement on Monson Avenue is closed, pedestrians will be forced to cross both the entrance and exit to the NCP multi storey car park opposite. Many local residents walk into town from here, and it would be a shame to deter them from doing so, especially as the many recent changes in the town centre aim to promote walking and sustainable travel.

Any incursion into the ring road is likely to obstruct traffic on a very busy and congested route across the town.

Due to the prominence of the site, this is an excellent opportunity for the council to request attractive hoardings (as I believe is recommended by the Constructors' Code of Considerate Practice).

15 Monson Avenue
Cheltenham
Gloucestershire
GL50 4EN

Comments: 26th October 2018

I wish to object to the above planning proposal. The height of the new extension will effect the light in the gardens on Monson Avenue. The plans are a complete over development of this site. I'm concerned that 28 flats could generate 50 plus cars and with only 8 parking spaces provided on the site this will have a negative impact on the surrounding streets. The entrance and exit to the site is directly opposite a very busy public car park which already causes severe congestion on Monson Avenue. The new extension will have a negative visual impact from the gardens of Monson Avenue.

42 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 26th October 2018

The development of Dowty house should have taken into consideration parking requirements from its future residents and used the available space accordingly, i.e. with at least one parking space per apartment.

Dowty House is considered to be a 'town centre residential development': the site is in fact on the north side of St. Margaret's Road and is sited within a residential area, unlike the south side which is considered as 'inner town'. Town centre developments without parking permission do not necessarily reflect the reality of the situation post completion - we, the existing residents, are the ones who have to deal with the unnecessary negative result.

Linnet
Wellesley Road
Cheltenham
Gloucestershire
GL50 4LD

Comments: 26th October 2018

28 units and 8 parking spaces on this particular site is ridiculous. If 2 people are registered at each of the properties then it's 56 extra residents parking permits. 28 or 14 would be bad enough. All side roads nearby have residents parking or double yellow lines and are already jam packed at night.

I note that for anomalous historical reasons the parking would be in Zone 11. Whether it's Zone 10 or 11 the same principles apply.

As regards Zone 11 the nearest side road is my road some 200 yards away. In daytime the road towards St Paul's Road is ok even if getting in and out of the road at peak times is difficult. At

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nighttime it is completely full as lots of people in St Paul's road where they have double yellow lines on both sides of the road park there. The situation will become worse when the 4 houses with planning permission at the St Pauls Road end of our road are built.another 1,2,3, 7, 14, 28,...56 (?) extra residents parking from Dowty House is insane.

Whether it's Zone 10 or Zone 11 parking for residents in these units a LOT more parking spaces have to be provided. The roads near Dowty House are restricted by double yellow lines, parking difficulties, and many of the roads have no pavement but do have potholes (like Wellesley Road at my end) or, if they have pavements, are pavements in poor repair. The persons with the new residents parking permits would have a long and dangerous walk to their cars.

42 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 26th October 2018

The redevelopment of Dowty House at the junction of St. Margaret's Road/Monson Avenue gives cause for concern to me and my family, residents of nearby Clarence Square.

The proposed new building comprises 28 units (double and single bedroom flats). Parking provision has been made within the development for 8 car parking spaces. If there are two people registered at each of these properties, this is potentially $28 \times 2 = 56$ Residents' Parking permits which can be issued, + 50 visitors' spaces per year per unit. The theory is that the limit on available parking within Dowty House will encourage people to reduce their reliance on cars: this has had little effect on the level of student car parking in neighbouring Zone 10, which increases significantly during term time.

The additional pressure on the Zone 10 parking means that the residents of Clarence Square will need to park yet again further from their properties, especially in the evenings. There will obviously be some degree of inconvenience if one has to park at a further distance, which may not be on a Residents' bay. However, there is a security element involved, especially coming home late at night. We also have some of the worst pavement levels in Cheltenham - major trip hazards, especially in areas of bad lighting.

It was once standard practice for developers to be obliged to provide adequate parking facilities in new developments - this is clearly not the case here, and if the Dowty House proposal goes forward unchallenged, we will all be faced with far more difficult local parking.

26 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 26th October 2018

Letter attached.

36 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 26th October 2018

I would like to register my strong objection to planning application 18/01973/FUL - Dowty House with regard to the proposed new development build of 28 flats, (25 of these being 2 bed) with inadequate parking spaces for only 8 cars.

The proposed scheme is extremely poorly thought out, the appearance is completely out of tune with the surroundings and the provision of car parking spaces wholly inadequate. The knock on effect of inadequate provision of car parking for both residents of and visitors to the development will reduce even further the ability for residents of Clarence Square and the immediate area (St. Paul's) to find parking spaces. The potential of each unit having the option of taking up two Residents' Parking bays (plus their visitor day permit entitlement) will result in a considerable ripple effect through both Clarence and Wellington Square and the surrounding St.Paul's area.

Although housing is a priority in Cheltenham and this site is appropriate for a well thought out planning scheme, this proposal is not fit for purpose. The developer should be encouraged to review and produce an alternative which better fits the locale's needs, and in particular meets realistic parking requirements. The urban myth that lack of parking provision reduces car numbers is exactly that.

The photographs which supposedly illustrate the access to the development from Monson Avenue are the equivalent of an hotel chain placing well lit, wide angled views of their best rooms. What you see is not what you will get. The increase in traffic (see also comment from the Waste Removal Contractors) will exacerbate the increasing traffic levels created by the closure of Boots corner.

Yet again, CBC chose to ignore the interests of existing residents and Council Tax payers in favour of a developer's proposals.

Comments: 26th October 2018

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Yet again, CBC chose to ignore the interests of existing residents and Council Tax payers in favour of a developer's proposals.

21 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 25th October 2018

The proposed density of this development, 28 flats, (3 single, 25 double) gives cause for concern.

The report states that:-

There will be a reduction in vehicular access from previous use
There are no highway safety issues arising
There is no concern arising from vehicular data

All of this is not true. Those who live in the locality know this is nonsense and yet we would like to see the building used imaginatively which some of the planning application does.

It comes at a time when the closure of Boots corner is a huge issue for traffic in this very locality AND when the outcome for the neighbouring Old Black and White site is unknown.

What we DO know is that the entry to the NCP car park is a current disaster and it is exactly opposite the entrance and exit to this proposed development. At present drivers enter the car park from both directions in Monson Ave and exit likewise to avoid the congestion. The KEEP CLEAR road surface sign is ignored.

Before Boots Corner closure this was serious enough. Now with the closure, St Georges Street has become the only south to north route through the town focussing all the traffic to this very locality. No data is available as yet and therefore not included in this proposal.

In addition this proposal takes no account of how much traffic will follow 28 flats...taxis, ancillary workers, builders, refuse and visitors. Where indeed is the access going to be during the rebuild, without affecting traffic flow in Monson Ave?

It is worth noting that the parking beat survey, conducted early Sept. was done at a time when the university term was not operating. Many students live in Monson Ave and the surrounding roads, and when the university is in operation there is additional pressure on all roads and parking in the area, both metered and residents parking.

Parking concerns: 8 ground floor spaces - laughable.

What about all the visitors and what likelihood of a deal being struck with the NCP?

Is this Zone 10 or Zone 11? There seems to be much confusion.

Already the council have issued far more residents permits for Zone 10 than the area affords.

As a resident of Clarence Square for over 30 years I have adapted to many changes but extra parking room cannot be produced from nowhere. It would seem that the Council are deaf to our complaints and intent on income generation as the bottom line. Simply we have no more capacity.

It could be argued that the Dowty House address is not Monson Ave but St Margaret's Road and therefore should be Zone 11. It is in St Pauls ward and not Pittville, and yet Zone 11 also seems full to capacity.

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Monson Ave and Clarence Square should not be regarded as "the gateway to the north of Cheltenham". It is a residential area, of historical and civic interest and not a major highway for any planner. We have a ring road.

If residents of any new Dowty House development are given residents parking in either zone, this would create potentially 40 new permits (2 per household) given the 8 allocated spaces within the development. This takes no account of visitor permits. If it is zone 10 then they will look to park in the nearest available space which is Monson Ave or Clarence Square with grave knock-on effects.

Finally we need more monitoring and data for air quality prior to this proposed development. Static traffic abounds adjacent to this site and environmental targets must be kept.

22 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 24th October 2018

I would like to register my strong objection to planning application 18/01973/FUL - Dowty House with regard to the proposed new development build of 28 flats, (25 of these being 2 bed) with insufficient parking spaces for only 8 cars.

The existing Dowty House building fronts onto St. Margaret's Road, Zone 11 and the side entrance of the development on Monson Avenue is adjacent to Zone 10.

It is unclear if this means that residents of the new development will be entitled to resident parking permits in both zone 10, zone 11 or both? Either way there is already very restricted capacity for zone 11 as highlighted by St. Paul.s Residents' Association.

Monson Avenue residents parking falls within zone 10 catchment and residents who cannot find spaces in this street regularly have to find car parking spaces in Clarence Square due to existing lack of proportionate spaces to dwellings. In addition Monson Avenue has a significant number of HMO's, which further exacerbates the parking problem as it is unclear how many permits may be allocated in this instance.

Clarence Square, which itself contains a high proportion of flats, especially around the junction point with Monson Avenue, are entitled to two parking spaces per flat. This makes parking virtually impossible especially at times such as the end of the day when residents return from work.

In comparison to the original Dowty House the proposal is not only a significant change of use it is a case of over-development for this site. I therefore strongly object to this proposal.

28 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 26th October 2018

My objection concerns the access to this development and the assumptions which lead to an apparently benign picture of the position and operation of the access point and so indirectly too to the parking provision.

The access point is directly opposite the entry/exit access point of the NBC car park. This car park access is a regular source of jammed traffic in Monson Avenue, not least since the facility is often full and traffic is queueing, sometimes twenty or so vehicles from both directions on the ring road waiting for space to become available. Monson Avenue is a narrow road, barely wide enough for two cars when the allowed parking along the East side is full, which is 100% of the time. Also there is a constriction in the width of Monson Avenue just metres North of the car park entrance which causes many drivers, including the droves of learner drivers on the driving test route, to pause due to lack of space or experience to negotiate the road towards Clarence Square,

Into this already unsatisfactory situation, from directly opposite the car park there will be an unknown amount of In/out traffic for new Dowty House. While the Planning Application seeks to overcome this objection by claiming car ownership be limited to 8 of the planned flats (presumably the ECHR will doubtless rule on that in due course), there will of course be 28 homes worth of Amazon deliveries, postmen, Tesco and the rest home deliveries, pickups and drop-offs by taxis which, as often as not will have nowhere to park on the street and will end up reversing out of the small parking spot.

I honestly believe that this development as currently planned will cause a traffic disaster of significant proportions. That is before we even consider the usual chaos on the ring road caused by the Boots Corner effect.

I believe the entire concept of the development is flawed, that it would be better to have a higher design rather than the one proposed which seems too keen on preserving and not overpowering the nice but not very significant steepled structure. With an extra floor level less dense two and three bedroom flats with parking could be provided in the space while retaining profit margin. Also, it would make immense sense if the road access to the development could be from the ring road, not from Monson Avenue. If the CBC continue to own this Car Park this would be an opportunity to relocate the access to the North Road car park to the ring road which would instantly relieve pressure on the Brewery multi- storey park and Monson Avenue without unduly affecting traffic flow on the ring road..

If as stated 20 out of 28 residents of the planned development will not want cars, then any granting of residents Parking Permits should be limited to the 8 calculated by the developer. Indeed, if as stated this is considered a town-centre development, no permits should be agreed at all.

Finally, Clarence Square is a peculiar case for parking. Many residents elsewhere in Zone 10 actually drive to park in Clarence Square to visit Brewery facilities. There are also Z10 permit holders who appear to reside in Z11. So it would be particularly difficult to have an additional 28, and theoretically possible double that for multi vehicles, almost certainly descending on Clarence Square for routine parking. I would propose that any request for permits from the new development should be met with permits for the North Place Car Park and the developers provide an access point for this purpose.

11, Clarence Square
Cheltenham
GL50 4JN

Comments: 26th October 2018

I am writing to express my objection to the over development of Dowty House on the basis that 8 parking spaces for the 28 proposed apartments is woefully inadequate. There is ample space to provide at least one space per apartment if the developer rethinks his plans and considers the new homeowners who in most likelihood will own a car and will need somewhere to park.

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As a resident of Clarence Square, where parking is already difficult, if new residents are granted permits for zone 10, it will become almost impossible to park near our homes - living in listed houses it is difficult, in most cases, to adapt our properties to accommodate parking so the situation can only worsen.

If this planning application is approved it will impact hugely on the residents in the area. It is vital that ample parking is provided within the development where there is already plenty of space and permits should not be issued to the new residents. This is already the case in London where parking is oversubscribed and now being restricted for all new developments.

Thank you for taking the time to consider this issue.

14 Clarence Square
Cheltenham
Gloucestershire
GL50 4JN

Comments: 29th October 2018

We are writing to register our objection to the planning for Dowty House for residential purposes on the basis of the amount of parking that is planned to be provided for the amount of dwellings that will be on the property.

We are on the understanding that there will be 6 visitor parking spaces provided and the opportunity to purchase zone 11 parking permits. However we understand that residents in Zone 11 do not have enough parking spaces already and have been given zone 10 parking spaces. We are assuming the same will have to follow for Dowty House residents in an area that already struggles for parking at the times when residents are at home. It is not uncommon for residents of Clarence Square to be unable to park in their own square in the evening and have to seek alternative arrangements. At present the parking situation is not quite so bad during working hours.

It has been for a long time that on a safety note, people on the South side of the square with children and the less able residents of our society have to cross a busy road to acquire an already difficult parking space.....often having to cross with bags of essentials such as food. This is an accident waiting to happen with the speed of the traffic.

Not wishing to dilute the above objection but to support our frustration on the South side of the square, the meter situation does in fact mean that the parking spaces have been sold twice....once to permit holders and a second time to meter payers.

32 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 24th October 2018

I would like to raise my objection to the Dowty House Development. The council website to lodge objections is currently not allowing me to do so.

I live in Clarence Square & am objecting to the building of 28 apartments on the Dowty House site with inadequate provision of parking. Any residents will be eligible to apply for permits in zone 10 which covers Clarence Square. As the residents of Monson Avenue already have inadequate parking & do park in Clarence Square, the parking issue will be further exacerbated with the building of 28 apartments. Currently, it is difficult to find parking around the square particularly when returning home from work after 7pm.

There is also added congestion as the access is via Monson Avenue. This junction has seen traffic chaos since the closure of Boots corner & cannot cope with any increase in traffic from service vehicles or residents' vehicles in the vicinity.

32 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 24th October 2018

I would like to make clear my objection to the proposed redevelopment of Dowty House on Monson Avenue. 28 apartments and eight parking spaces equals increased congestion. Since Monson Avenue is in zone 10, the excess is going to end up in Clarence square. It is already extremely difficult to park outside my house in the evenings without this development.

I have no objection to the change of use of the building but suggesting that most new residents won't have a car is ridiculous.

I trust that, as my local representative, you will convey my views to the planning committee. I can assure you that all of my neighbours are of the same opinion. I have tried submitting an objection via the council website but it fails to link to the area where I can comment. A suspicious man would think this is deliberate!

13 St Pauls Parade
Cheltenham
Gloucestershire
GL50 4ET

Comments: 25th October 2018

I wish to object to this planning application due to the lack of provided parking spaces relative to the number of proposed units.

Under full occupancy, 28 units would potentially allow for a maximum of 56 parking permits to be issued. This is completely unsustainable for an area where there are already fewer available parking spaces than permits issued. I don't object in principle to a residential development but it should be a condition that 2 x off road, on-site parking spaces are provided per individual unit/apartment so the number of proposed units should be reduced in order to accommodate parking. This is not unreasonable in an area where existing residents already struggle to find parking spaces, despite paying for permits. As it stands, this proposed development is clearly designed for maximum profit over any consideration of how it will impact on the local area in the long term.

10 Tower House
Pittville Circus
Cheltenham
Gloucestershire
GL52 2PX

Comments: 28th October 2018

I make this comment not only as a resident of Pittville, but also as a local political campaigner.

After hearing about this application, I distributed a leaflet raising awareness of the many issues that I and many other residents of Clarence Square could foresee.

As a result, I have received emails, in addition to responses to my survey. The common trend has been of great concern, especially at the lack of parking provisions. While not all responses have been completely against the idea in any configuration, the parking issue, if not resolved, will continue to linger on local residents minds.

22 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 24th October 2018
OBJECTION

I note that a planning application notice was posted adjacent to the development area and on Cheltenham Borough Council's (CBC) website regarding the proposed reuse of Dowty House (former Care Home) to create 28 apartments, of which 23 are two bed and 5 are 1 bed apartments.

The application is supported by Heritage, Planning and Transport statements.

The Planning Statement outlines in 1.1. that "This planning statement is prepared by SF Planning Limited on behalf of Marcus Homes Ltd (the Applicant)."

It further states in "1.8. We have held pre-application discussions with the Council and its comments and suggestions have been taken into account in the submitted scheme. Details of the scheme's evolution are set out in the design and access statement.", dating back to July 2018.

It is noted that contact may have been made with residents of Monson Avenue, in a limited time scale, yet consultation with residents on a wider area has not taken place despite these areas being included in all Statements in support of the application. These statements also support the scheme, and policy of utilising "brownfield land" as well as the need for increasing housing stock, both of which are admirable. However, the selective data may not be.

There is a provision in 3.5 for "8 Car parking spaces have been provided, as well as 1 cycle space per dwelling.", although in another report it states this being 6 car spaces.

Monson Avenue incorporates 22 houses of which 10 are Houses of Multiple Occupancy (HMOs) and has 14 available car spaces. The HMO's in this instance tend to be used for the purpose of housing students. Parking Legislative Policy administered by Gloucestershire County Council (GCC) states that 2 car spaces are available per household, potentially amounting to 44 in total. There is also the provision for visitor day passes. Even if only 50% of the available permits were taken up this is an imbalance requiring displacement of vehicles to other streets. Many residents in Monson Avenue already park in Clarence Square and surrounding streets due to existing parking congestion. The area covered is Zone 10.

Dowty House is quite clearly registered in Zone 11. Consultation with St Pauls Residents Association (SPRA) has also highlighted that these streets, in reasonable walking distance of Dowty House, are at capacity and cause significant problems at the present time. The Transport Statement appears to use selective material in support of arrangements and limited surveys (18:00 - 20:00 certain weekdays and limited residential usage on Saturdays - No mention of Sundays!) In that report it even suggests and lists more capacity in Clarence Square (Zone 10), which does not fall within the appropriate Zone 11 for Dowty House. Therefore by implication it is considered to be.

The application presupposes that the residents will not have cars, in line with CBC policy encouragement, yet experience shows that in Clarence Square for example, 4 converted flats in the space of one house have 8 permits as opposed to 2. Where Clarence Square abuts Monson Avenue there are 8 such dwellings. ($8 \times 4 \times 2 = 64$ potential permits of which over 70% are taken up).

The Planning Statement further states in 5.11. "The JCS identifies that outside of strategic allocations a minimum of 40% affordable housing will be sought within in the Cheltenham Borough Council administrative area." and that "On this basis 11 affordable units would be required." However it further states in 5.15 "The viability assessment concludes that a policy compliant scheme is not viable. This factors in the application of vacant building credit. Accordingly, the Applicant is not proposing to provide any affordable units." Affordable housing suggests, although does not guarantee, that the residents will not own cars, which is as ridiculous as saying students don't have cars. And as there are no affordable homes planned in this scheme, therefore these residents will have cars.

The support to this anomaly is in 5.34 where the report concludes that "The reduction in parking spaces at the site will hopefully encourage residents to travel without a car which will have a positive impact on the wider area." It is quite clear that in fact it cannot.

Obviously concerned The Planning Statement further adds in 5.35. "The applicant will seek to enter into an agreement with National Car Parks (NCP) with regard to the provision of residents parking permits. However, this cannot be guaranteed in perpetuity and therefore the Transport Statement for this application has been prepared on the assumption that this will not be available or securable through the planning system." Therefore this scheme is reliant on the availability of on-street parking.

I would love to support the fulfilment for more housing, if appropriately proposed.

Previously, Dowty House had minimal impact on the area as it had a dedicated and appropriately scaled parking area and this new proposal is quite clearly a major shift in usage that does not have ample and appropriate parking. A development of even half the proposed type and scale would have a detrimental impact on the locality.

Therefore, in this case, I strongly object to this development and the supporting reports (which do not fully consider the existing situation) will have a major impact on the surrounding areas of Zone 11 and Zone 10.

21 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 24th October 2018

As a resident of Clarence Square I have grave concerns regarding the conversion and extension of Dowty House on St. Margaret's Road.

The amount of traffic that passes along the south side of Clarence Square on a daily basis has been steadily growing as our town's roads have been either reassigned or blocked off. Traffic needs to find its way either out of town to the Evesham Road/Pittville or into town from the Evesham Rd causing those of us living here to become more and more concerned about the pollution that such a large volume of traffic brings to this area.

Along with air and noise pollution I would also like to draw your attention to the parking situation on Clarence Square. Our parking is at its maximum already for those assigned an Z10 permit. Many of the houses on the Square are multiple dwellings, incorporating 3-4 flats and usually at

least 3-4 cars that all need parking spaces. When the parking divisions were created, residents of Monson Avenue were given an Z10 permit so they park in the Square with its limited space along with all of us.

With the expansion of Dowty House, bringing new people to live in this area, my understanding is that you intend to assign them Z10 permits as well. This is completely ridiculous and ill advised in the face of the traffic and overcrowding this area already deals with every day.

If the expansion goes ahead then surely more than 6 car parking spaces must be created on their site to accommodate all the new vehicles that will need to be parked.

27 Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 26th October 2018

I wish to object to the above Planning Proposal 18/01973/FUL submitted by Marcus Homes Ltd

I support the provision of more homes and the utilisation of an existing housing site , but not the proposed execution.

There are too many apartments proposed with insufficient on site parking spaces. The sustainable travel argument may be the ideal, however experience and empirical knowledge based on living and using the area for over 13 years would negate this as a reasonable argument for justifying a development which does not provide sufficient on site parking.

The Transport Survey commissioned by Marcus Homes through Cotswold Transport Planning was carried out on the 6 and 8 September. Other objectors have mentioned that students who constitute large numbers in the parking Zone areas of 10 and 11 are not around during that time. The multiple occupancy housing in the area swells the number of cars using on street parking significantly, even though the local amenities and areas of study are all within walking distance. Can the developers honestly demonstrate (as a guideline referenced by the NPPF) that the home owners will 'not own a car' to justify the grounds of a largely car free development (that is one with an insufficient number of parking spaces on site relative to the number of homes)?

Others have referenced the contradiction and confusion in the Transport Planning in support of the application. Clearly, unless part of the car park can be used for the provision of parking for the homes, residential parking permits will be required. It would be dishonest to suggest otherwise. The Application quotes the development as being in Zone 11, however the Transport Statement references Monson Avenue, and Clarence Square in the proposal, which are in Zone 10. Clarification on this point and assurances are needed.

In summation, I believe that taking into account the concerns of the direct neighbours on Monson Avenue and others, the Application should be reviewed; the number of properties on the site reduced and car parking on site increased to make this development viable for the neighbourhood.

FAO: Ms M Payne, Planning Officer



26 October 2018

Dear Sir/Madam

Planning Application 18/01973/FUL

I write to register my **strong objection** to the planning application for the development of Dowty House in Monson Avenue, Cheltenham.

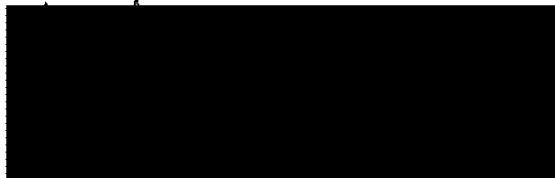
The main reasons for objecting are the increased traffic it will inevitably bring in what is a predominantly residential area already plagued by, at times, heavy traffic and, perhaps more importantly, the increased parking problems that this development will create if it goes ahead without any major changes.

I will not repeat the valid points on these two issues already made in the submissions of other objectors but this is quite clearly an overdevelopment of the site with little consideration given to the impact on local residents. It is not clear from the submission how parking will be resolved or the issue of visitors/deliveries etc in what is a traffic pinch point opposite a large car park and traffic lights which already at times causes serious traffic congestion. If on street parking permits are granted to occupants of the new apartments the resultant chaos and local anger will come to haunt the Council. Naturally any developer needs to make a profit and I am sure they can with more consideration; as it stands it very much looks like a case of take the money and run.

Finally, I would make three further points:

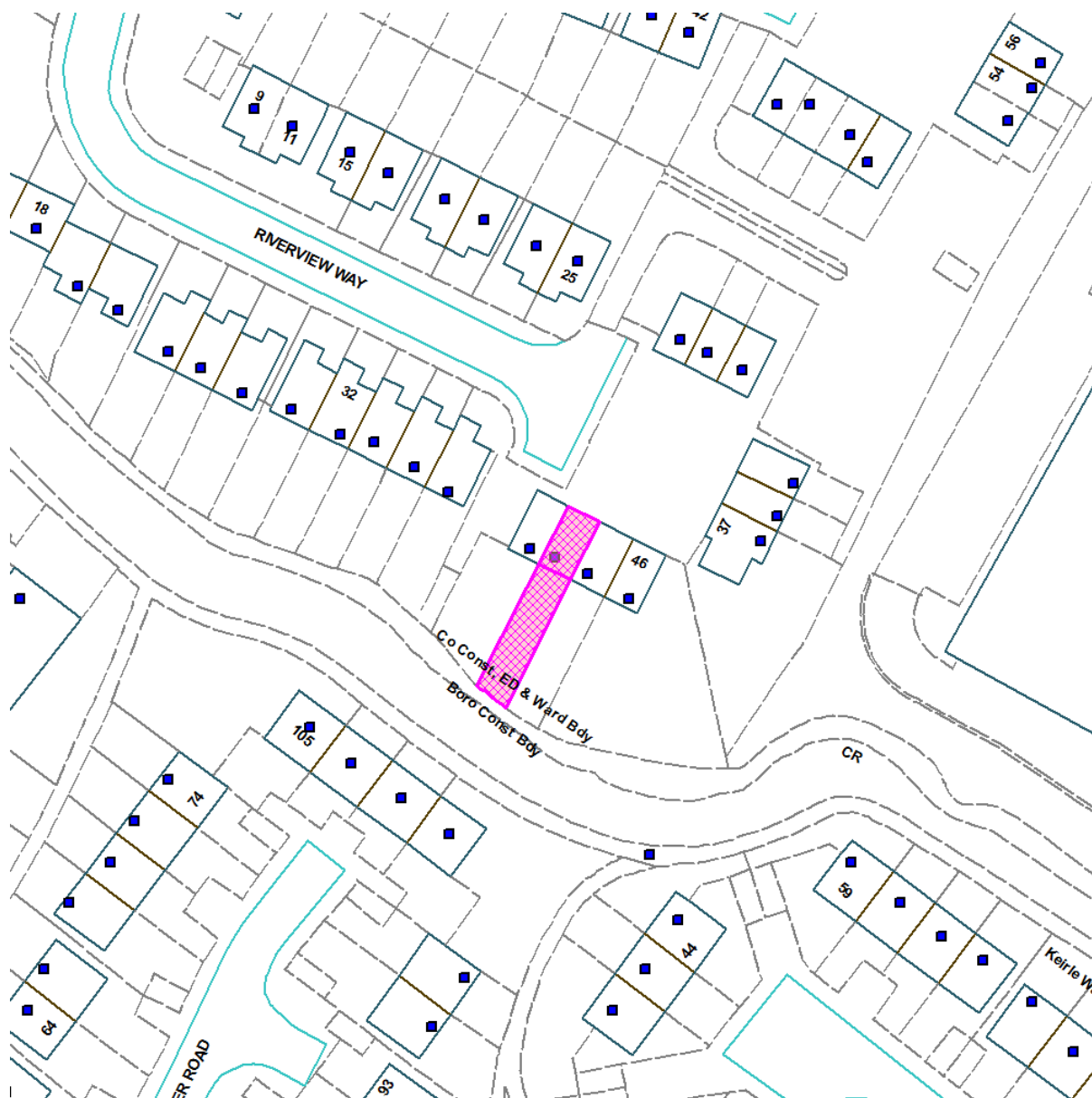
- Providing cycle racks for all apartments is all very admirable but how many will actually be utilized, very few I imagine. This is the 21st Century nearly everyone has/wants a car. Does the developer seriously believe all the new residents will walk/cycle or take public transport to get around?
- A development of this nature should have been given wider notification and the council has let local residents down. I live only 100 yards from Dowty House and if a flyer had not come through my letter box I would have known nothing about this proposal.
- It is disappointing that the local authority, who appear to have had some preliminary contact with the developer, have seemingly failed to either raise the matter of traffic/parking or advise the developer of its local sensitivity and consequently the developer has gone ahead with a submission that is inadequate and unacceptable.

Yours faithfully



APPLICATION NO: 18/01812/CONDIT		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 6th September 2018		DATE OF EXPIRY: 1st November 2018	
WARD: Swindon Village		PARISH: Swindon	
APPLICANT:	Mr Terry Swanton		
AGENT:			
LOCATION:	42 Riverview Way Cheltenham Gloucestershire		
PROPOSAL:	Variation of condition 1 on planning permission 16/02257/FUL. Extend the temporary permission to December 2019		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 42 Riverview Way. The site is a mid-terraced property on a residential development which dates from the mid-1970s and located to the north-west of the borough.
- 1.2 Permission was granted in 2016 for the retention of a metal storage shed on a temporary basis (ref: 16/02257/FUL). This application proposes the variation of condition 1 (temporary use) to extend the permission until 31st December 2019.
- 1.3 The application is before committee at the request of Cllr Flo Clucas due to detrimental impact on neighbouring amenity. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Flood Zone 2

Relevant Planning History:

97/00891/PF 15th January 1998 PER

Flood Defence Works On The River Chelt From Hayden Road To Coxs Meadow And At Balcarras Farm, London Road

16/02257/FUL 13th February 2017 PER

A temporary secure metal storage shed (4.4m x 2.4m) (retrospective).

3. POLICIES AND GUIDANCE

Joint Core Strategy

SD 4 Design Requirements
SD 14 Health and Environmental Quality

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Parish Council

16th September 2018

The Parish Council feels that there has been sufficient time for the applicant to make alternative arrangements for storage (with many local commercial solutions available) and that a further extension is inappropriate.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1 Five letters were sent to neighbouring properties and one response was received objecting to the proposal.
- 5.2 The comments for this application will be circulated in full to members together with the previous comments received in relation to the original application. In brief the concerns raised relate to:
- Noise disturbance;
 - The building having an oppressive and overbearing impact, and;
 - The unattractive design.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations for this application relate to design and neighbouring amenity. Essentially, will the retention of this metal storage shed for an additional 12 months be to the detriment of the character of the area and will its retention have an unacceptable impact on the amenity currently enjoyed by neighbouring residents?

6.3 The site and its context

- 6.4 An application was submitted in late 2016 for the retention of this storage shed (planning ref: 16/02257/FUL). The application stated that *"the shed is intended as a temporary solution to recent theft issues and will be removed on departure from the property – planned to be by the end of 2018"*. Planning permission was approved under delegated authority with a condition requiring the shed to be removed by 31st December 2018. The condition was included as this is what the application was requesting.

6.5 Design and layout

- 6.6 The relevant design policies when considering the application are SD4 of the JCS and CP7 of the Local Plan. These policies stipulate how development should positively respond to and respect the character of the site and its surroundings. Additionally, JCS Policy SD4 also states in point v how development should be designed in a way that reduces *"the likelihood and fear of crime"*.
- 6.7 The design of this storage shed is typical for this form of development and it is not uncommon for a metal material to be used. The positioning of the outbuilding meanwhile, results in it being partially hidden from the public realm and therefore not immediately visible until the end of Riverview Way is reached. The storage shed is not of a scale which dominates or detracts from the parent dwelling or surrounding properties.
- 6.8 The application is considered to be in accordance with JCS Policy SD4 and Local Plan Policy CP7.

6.9 Impact on neighbouring property

- 6.10** Policy SD14 of the JCS and Local Plan Policy CP4 both require development to not harm the amenity of adjoining properties.
- 6.11** One objection has been received from a neighbouring property (no. 38 Riverview Way) who expresses concerns over the outbuilding as per the original application. These related to the outbuilding being overbearing, oppressive and causing noise disturbances when occupied, as well as the design. The concerns relating to design have been discussed as part of the 'Design and Layout' section above.
- 6.12** The outbuilding is located adjacent to the garden areas of numbers 38 and 40 Riverview Way. The structure measures approximately 2.07m in height, 2.24m in width and 4.42m in depth. This is not considered to be of a significant size that would have an oppressive or overbearing impact on neighbouring properties and it is also noted that landscaping serves to separate the structure from no. 38.
- 6.13** Whilst officers fully acknowledge the concerns raised by the neighbour, it is difficult to articulate a significant level of harm which would be caused that would warrant refusal of this application. If the application had been for the permanent retention of this storage shed it is highly likely that the same conclusion would be reached.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Based on the above, it is officer's conclusion that the retention of this storage shed for a further 12 months is acceptable and is not contrary to relevant adopted policies within the JCS or the Local Plan. Furthermore, there is no conflict with the NPPF or advice published within the SPD.
- 7.2** The recommendation to members therefore is to approve the variation of condition 1 on application 16/02257/FUL and allow the outbuilding to remain in place for a further 12 months.

8. CONDITIONS

- 1 The building(s) hereby permitted shall be removed and the land restored to its former condition on or before 31st December 2019.

Reason: The condition is included in response to what is being proposed to ensure the avoidance of doubt and in the interests of proper planning.

APPLICATION NO: 18/01812/CONDIT		OFFICER: Mr Gary Dickens
DATE REGISTERED: 6th September 2018		DATE OF EXPIRY : 1st November 2018
WARD: Swindon Village		PARISH: SWIND
APPLICANT:	Mr Terry Swanton	
LOCATION:	42 Riverview Way, Cheltenham	
PROPOSAL:	Variation of condition 1 on planning permission 16/02257/FUL. Extend the temporary permission to December 2019	

REPRESENTATIONS

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

38 Riverview Way
Cheltenham
Gloucestershire
GL51 0AF

Comments: 10th September 2018

I feel that I was promised the metal shed next to my property would only be there for two years.

I feel that it would be unfair to me if the temporary permission was extended.

I would be most grateful if you would read my previous objection email reference 16/02257/FUL and kindly refuse this application.

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APPLICATION NO: 18/01812/CONDIT		OFFICER: Mr Gary Dickens
DATE REGISTERED: 6th September 2018		DATE OF EXPIRY : 1st November 2018
WARD: Swindon Village		PARISH: SWIND
APPLICANT:	Mr Terry Swanton	
LOCATION:	42 Riverview Way, Cheltenham	
PROPOSAL:	Variation of condition 1 on planning permission 16/02257/FUL. Extend the temporary permission to December 2019	

REPRESENTATION

38 Riverview Way
Cheltenham
Gloucestershire
GL51 0AF

Comments: 10th September 2018

I feel that I was promised the metal shed next to my property would only be there for two years.

I feel that it would be unfair to me if the temporary permission was extended.

I would be most grateful if you would read my previous objection email reference 16/02257/FUL (see below) and kindly refuse this application.

Comments: 23rd December 2016 (on **16/02257/FUL**)

I would strongly like to object to the proposed planning application regarding the building next to my property, which began construction on 26th November 2016. I understand this building was erected without prior planning consent.

The building overlooks my property, is only inches from my boundary, and a few feet from my living room. The buildings length is almost the entire length of my garden.

My main concern is noise ,which seems to be amplified due to the metal / tin construction.This has already become a problem as I can clearly hear Mr Swanton from inside my living room, working inside his new building. The noise can even be heard over the sound of my Television.

Another concern is I find the green painted metal / tin structure visually unattractive, and totally out of character for the area, in my opinion more suited to an industrial trading estate rather than a residential area.It is also too large and out of scale in size compared to other outbuildings in the area i.e. other wooden garden sheds.

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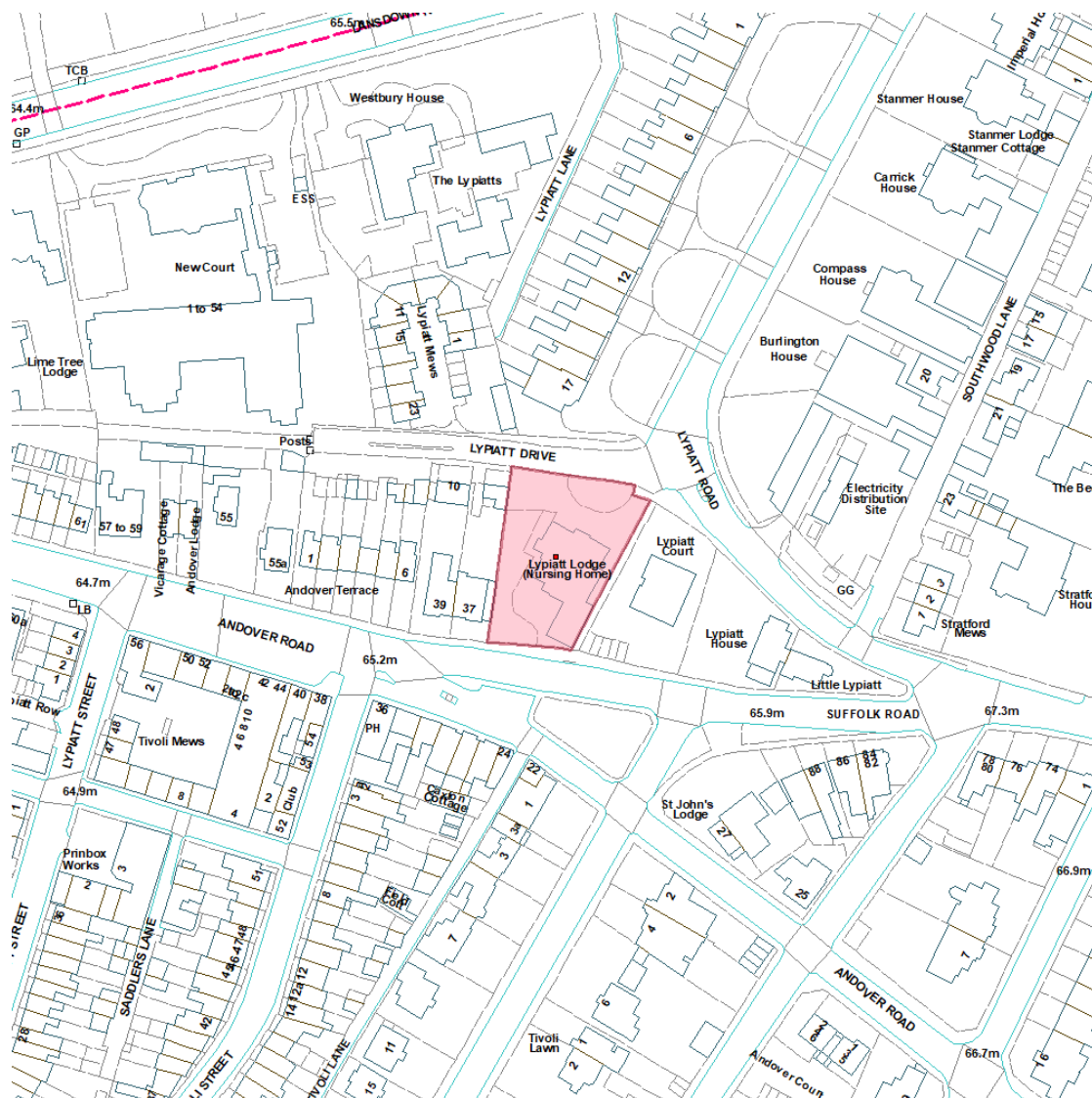
In general I find this building too oppressive, overbearing, and far too close to my property, and as such will cause me constant distress and disturbance with noise and other issues already raised.

My understanding is that the building is required for approximately two years, however I still feel this two year period will be too long and therefore unfair for me to endure .

I strongly urge the council to please refuse this application, and take the necessary enforcement action to remove this structure.

APPLICATION NO: 18/01869/CONDIT		OFFICER: Michelle Payne
DATE REGISTERED: 15th September 2018		DATE OF EXPIRY: 15th December 2018 (extended until 21st December 2018 by agreement with the applicant)
DATE VALIDATED: 15th September 2018		DATE OF SITE VISIT: 28th November 2018
WARD: Park		PARISH: n/a
APPLICANT:	Mr A Jones	
AGENT:	RRA Architects	
LOCATION:	Lypiatt Lodge, Lypiatt Road, Cheltenham	
PROPOSAL:	Variation of condition 2 on planning permission ref. 17/01380/FUL to allow for alterations to the bin and cycle store, and to provide 2no. additional parking spaces	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Lypiatt Lodge, formerly known as Astley House, is a grade II listed building located within the Lansdown Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area. The site extends through from Lypiatt Terrace to Andover Road. The building was first constructed as a pair of semi-detached villas, c1840-50, but was, until recently, in use as a residential nursing home.
- 1.2 Planning permission and listed building consent was granted in October last year for the conversion of the building to apartments.
- 1.3 This application is now seeking a minor material amendment to the planning permission, as a variation of condition 2 (approved plans), to allow for alterations to the bin and cycle store, and to provide 2no. additional parking spaces. If approved, the application would effectively result in the issuing of a new planning permission.
- 1.4 The application is before the planning committee at the request of Cllr Barrell in response to concerns raised by a neighbour.
- 1.5 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

17/01380/FUL

PERMIT

20th October 2017

Conversion of residential care home (Class C2) to 13no. apartments (Class C3) comprising 2no. one bed units and 11no. two bed units

17/01380/LBC

GRANT

20th October 2017

Internal and external alterations to facilitate a conversion of residential care home to 13no. apartments

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 7 Parking on forecourts or front gardens in conservation areas
GE 5 Protection and replacement of trees
GE 6 Trees and development

Adopted Joint Core Strategy (JCS) Policies

SD4 Design Requirements
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Lansdown Character Area Appraisal and Management Plan (2008)

4. CONSULTATION RESPONSES

GCC Highways Development Management

4th December 2018

I refer to the above application received on the 18th September 2018 submitted with application form, proposed site plan ref 2535 P(2) 02, proposed cycle and refuse store plans and elevations ref 2535 P(2) 01.

The proposed is subject variation of condition 2 on planning permission ref. 17/01380/FUL to allow for alterations to the bin and cycle store, and to provide 2no. additional parking spaces at Lypiatt Lodge Lypiatt Road Cheltenham.

In light of the submitted plans for variation of condition 2 of planning permission ref. 17/01380/FUL the highway authority recommends no highway objection to be raised subject to the following conditions attached to any permission granted:

The development hereby permitted shall not be occupied until the cycle storage facilities comprising 12no. cycle storage spaces have been made available for use and those facilities shall be maintained for the duration of the development.

Reason: To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

The development hereby permitted shall not be occupied until the car parking associated with the development has been provided in accordance with the submitted plan drawing no. 2535 P(2) 02, and shall be maintained available for that purpose thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.

Note: The highway works will require a consultation to the amendments on the Traffic Regulation Order.

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.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent to 22 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. Two representations have been received in response to the publicity, objecting to the proposals. The comments have been circulated in full to Members but, in brief, the main concerns relate to the overbearing and visual impact of the bin and cycle store. Concerns have also been raised in relation to ventilation.

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, whether the changes are acceptable from a design perspective, and any impact on highway safety. Members are advised that the principle of development, including the provision of a similar, albeit smaller, bin and cycle store in this general location, has been firmly established through the original grant of planning permission.
- 6.3 The bin and cycle store for which planning permission is now sought is 3.4 metres wide by 6.9 metres long; 0.2 metres wider and 2.1 metres longer than that previously approved. It is no higher than the approved store and is similarly located within the site, some 1.2 metres from the boundary with 37 Andover Road to the west. The additional floor space enables the gas meters for the apartments to also be accommodated within the store.
- 6.4 With regards to neighbouring amenity, the larger building does not result in any significant additional impact. Whilst the bin and cycle store is visible from neighbouring residential properties, most notably 37 Andover Road to the west, officers do not consider that it results in any greater harm in terms of daylight, or appears too overbearing, particularly when viewed in its context. Additionally, revised landscaping proposals have been submitted to include screening along the boundary to the rear of the store. The design of the storage building, which is to be clad in timber, is the same as that previously permitted, and therefore must be acceptable. The Conservation Officer has visited the site and verbally confirmed that they raise no objection to the size of the structure as built.
- 6.5 Concerns have been raised in relation to small openings in the rear elevation which appear to be for vents; the concern being that these vents will serve the bin store causing bad odours; however, the agent has confirmed that the vents will in fact serve the gas meter room and will be concealed behind the timber cladding and not be visible.
- 6.6 The additional two car parking spaces will be located to the front of the site adjacent to the highway and the Local Highway Authority, having reviewed the revised proposals, recommends that no highway objection be raised.
- 6.7 Ultimately, the amended scheme, when taken as a whole, is one which is not substantially different from that originally approved and would not result in any significant additional impact on neighbouring amenity, highway safety, or setting of the listed building and wider conservation area.

- 6.8 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 carried out in accordance with the approved plans listed in Schedule 1 of the original decision notice, other than where superseded by the approved plans listed in Schedule 1 of this decision notice.

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

- 2 Prior to first occupation of the development, vehicular parking and turning facilities shall be provided in accordance with approved Drawing No. 2535 P(2) 02 D, 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, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraphs 108 and 110 of the National Planning Policy Framework.

- 3 Prior to first occupation of the development, secure and covered cycle storage facilities for 12no. cycles shall be provided in accordance with approved Drawing No. 2535 P(2) 01 B, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and paragraph 108 of the National Planning Policy Framework.

- 4 Prior to first occupation of the development hereby permitted, refuse and recycling storage facilities shall be provided in accordance with approved Drawing No. 2535P(0)304 A, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that adequate sustainable waste management and recycling is provided, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 5 Prior to first occupation of the development, the hard landscaping works shall be carried out in accordance with approved Drawing No. 2535 P(2) 02 D and thereafter so maintained.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 6 All planting, seeding or turfing shown on approved Drawing No. 2535 P(2) 02 D shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 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: 18/01869/CONDIT		OFFICER: Miss Michelle Payne
DATE REGISTERED: 15th September 2018		DATE OF EXPIRY : 15th December 2018
WARD: Park		PARISH:
APPLICANT:	Mr A Jones	
LOCATION:	Lypiatt Lodge, Lypiatt Road, Cheltenham	
PROPOSAL:	Variation of condition 2 on planning permission ref. 17/01380/FUL to allow for alterations to the bin and cycle store, and to provide 2no. additional parking spaces	

REPRESENTATIONS

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

Flat B
17 Lypiatt Terrace
Cheltenham
Gloucestershire
GL50 2SX

Comments: 24th September 2018

The proposed refuse/bicycle store, which, (minus cladding) has already been constructed, is in prominent and intrusive view from our living room.

The elevations on the submitted drawing appear to indicate a height of 2500mm. Although we are unable to access the site to measure, we are concerned that the constructed height exceeds the 2500mm. We ask that this be checked and corrected if shown to be in excess of the submitted proposal.

A further observation is that the double doors serving the main refuse store when opened, will block access for wheeled bins. The architects therefore, may wish to review this aspect of their design.

Crofton
37 Andover Road
Cheltenham
Gloucestershire
GL50 2TH

Comments: 8th October 2018

Further to my previous conversation with Dan, I note down my concerns and objections as follows.

The contractors used a very high hoarding constructed above our garden wall and hence only after the bin/refuse store was nearly complete did we notice that it was being constructed to a height of nearly twice the height of our garden wall (please see photo

Page 224

attached during construction - it is higher now! AVAILABLE TO VIEW IN DOCUMENTS TAB) and this is completely different from what is illustrated on; -

Drawing: P R O P O S E D C Y C L E & R E F U S E S T O R E P L A N 1:25@A1 / 1:50@A3 - Proposed West Elevation at Lypiatt Lodge, Lypiatt Road.

I am now extremely concerned that the owners are intending to increase the size of the refuse/cycle store and it is already substantially overbearing due to its extreme height (it is much higher than expected as it does not match the submitted plan of the west elevation above).

This extreme height is unnecessary as the ground level could be reduced so the building would match the west elevation plan - the levels on that site are up and down at different places for no particular reason.

Could this store not be built wider instead of longer and hence we would not be faced with this unnecessary overbearing height on our boundary garden wall adjacent to where we sit outside?

Also, I have noticed that ventilation holes have now been made right next to our boundary. It is a bin store and as such is likely to have very bad smells coming from it and to have them directed directly at where we are sitting seems unfair and an environmental concern/issue. (Although there might be a management company in place, there are several examples of high end flats in Cheltenham where the smell from the bin stores is terrible as the management company do nothing about it).

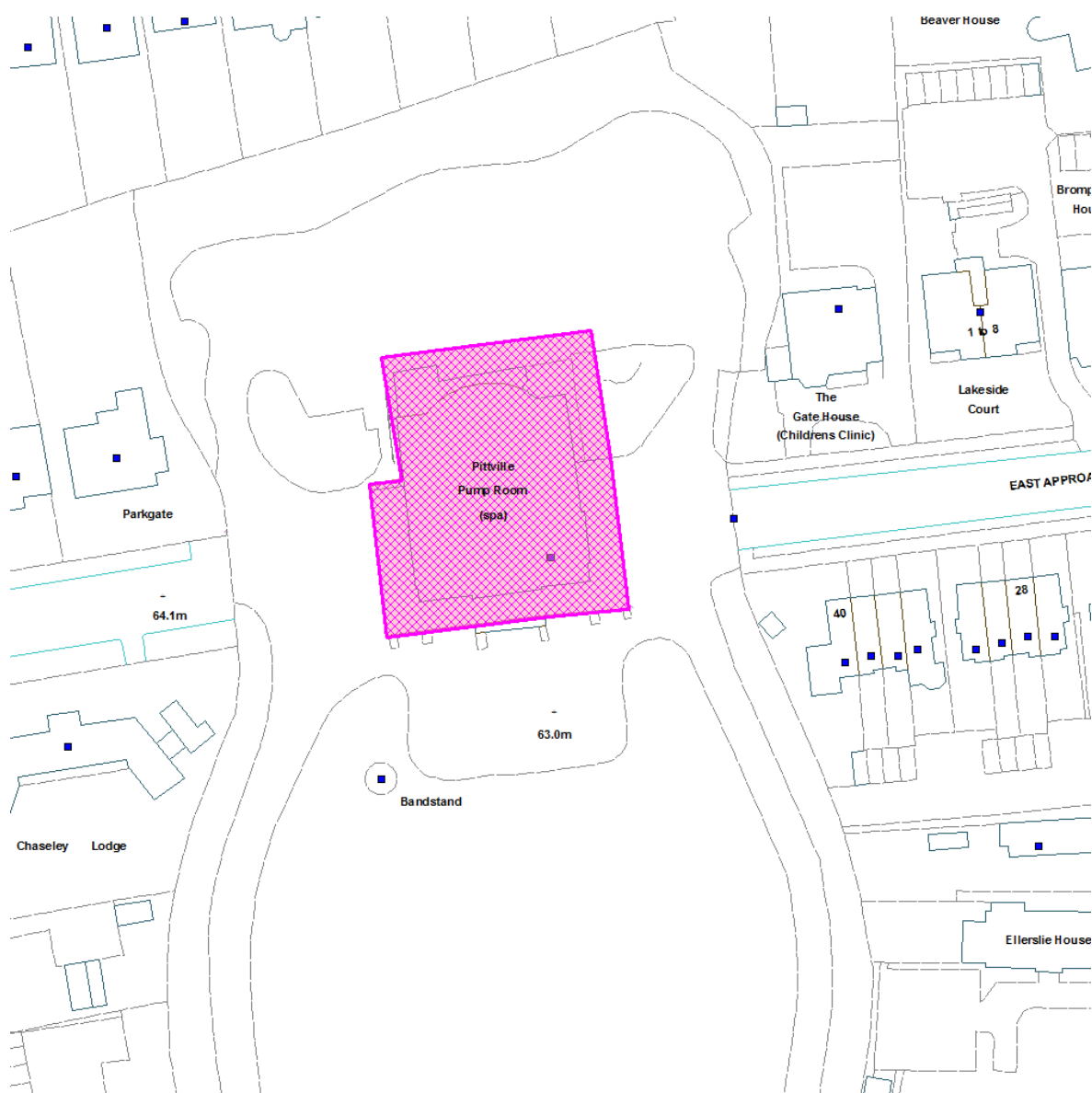
Could the ventilation holes be on the opposite elevation and hence not directed at our sitting area?

I would welcome you to visit to see the situation from our property.

Thank you for your time, call me at any time to discuss, thank you.

APPLICATION NO: 18/02136/LBC	OFFICER: Mr Chris Morris
DATE REGISTERED: 19th October 2018	DATE OF EXPIRY: 14th December 2018
DATE VALIDATED: 19th October 2018	DATE OF SITE VISIT: 24th September 2018
WARD: Pittville	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	
LOCATION:	Pittville Pump Room, East Approach Drive, Cheltenham
PROPOSAL:	Replacement of third decayed timber to dome at top of building with new.

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Pittville Pump Room is a grade I listed building within the Central Conservation Area: Pittville Character Area.
- 1.2 The proposed works relate to timber repairs to the lantern light on the dome.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Listed Buildings Grade 1

Relevant Planning History:

03/00867/LBC 1st October 2003 GRANT

Installation of lightning conductor system to BS 6515:1999

03/01162/LBC 21st October 2003 WDN

Refurbishment to box office in foyer. Internal work

03/01163/LBC 21st October 2003 WDN

Installation of modern catering kitchen, re-plastering throughout (no alteration to vent or water routing/waste)

04/00117/LBC 6th April 2004 GRANT

Installation of modern catering kitchen, repairs to plaster. New extract vent at roof level no alteration to water routing/waste

04/00118/LBC 6th April 2004 GRANT

Refurbishment to box office in foyer (all internal work)

85/00064/LS 27th June 1985 PER

Pittville Pump Room Car Park Cheltenham Gloucestershire - Erection Of 6 Light Standards

87/00218/LS 26th March 1987 PER

Pittville Pump Room Cheltenham Gloucestershire - Alteration To Widen Existing Pair Of Doors Serving Chair Store

87/01249/AN 17th December 1987 REF

Pittville Pump Rooms Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

96/01060/LA 20th February 1997 WDN

Attachment Of Brackets Supporting Cameras To First Floor Window Ledge At Rear Of Building To Increase Security Of Public Car Parking Area

98/01136/LA 11th February 1999 WDN

Repainting Of Interior Of The Oval Room

04/00719/LBC 3rd August 2004 GRANT

Installation of a new lift and associated internal alterations

04/00926/LBC 1st July 2004 PGOSW

Replacement of failed render with stone above lead flashing detail on south elevation at first floor level

05/00938/FUL 21st July 2005 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park

05/00939/LBC 18th July 2005 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park .

05/01664/FUL 27th June 2006 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Room and Park

05/01665/LBC 27th June 2006 WDN

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park.

06/00700/LBC 22nd June 2006 WDN

Automation of principal entrance doors to improve disabled access including installation of external barriers

07/00361/FUL 25th May 2007 PER

New gates and railings at East Approach entrance and West Approach entrance to Pittville Pump Rooms and park

07/00362/LBC 25th May 2007 GRANT

New gates and railings at East Approach entrance and West approach entrance to Pittville Pump Rooms and park

07/01529/LBC 22nd January 2008 GRANT

Removal of maple boarding on battens laid over original pine boarding and replacement with oak boarding on plywood underlayment over pine boarding, with reinstatement of existing heating system to Main Hall and Spa Room and addition of solar panel assembly mounted on external parapetted flat roof over Oval Room

08/01485/LBC 12th January 2009 GRANT

Internal redecoration of the first floor rooms, the ground floor entrance foyer and the second staircase together with minor building works, and reinstatement of fittings relevant to the rooms being decorated

10/00064/LBC 13th April 2010 GRANT

Relocation of partition wall within rear chair store and modifications to chair store entrance

83/01243/LA 26th January 1984 GRANT

Internal alterations to partition off female WC and provision of separate uni-sex disabled WC

82/01181/LA 29th April 1982 GRANT

Alterations comprising 2 decorative gates to East and West balconies, a partition to the head of the West stair and a partition beneath secondary staircase at first floor level

16/01291/LBC 23rd September 2016 GRANT

Replace internal door at Pittville Pump Room

16/01590/CLBW 22nd September 2016 CERTPU

Replacement doors to gas meter cupboard

3. POLICIES AND GUIDANCE

Adopted Joint Core Strategy Policies
SD8 Historic Environment

National Guidance
National Planning Policy Framework

4. CONSULTATIONS

Historic England
3rd December 2018

Thank you for your letter of 21 November 2018 regarding the above application for listed building consent. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Pittville Pump room of 1825-30, with restorations and alterations of 1949-60 was designed by John Forbes for William Pitt. Considered to be the finest in Cheltenham and constructed in ashlar over brick with slate roof and copper dome, the details based on Stuart and Revett's engravings of the Temple of Illissus. It is situated in Pittville Park (Grade II Registered Park and Garden) and the Cheltenham Conservation Area. Being of the highest heritage significance and holding wide-ranging heritage value, it is designated as grade I, and as such is in the top 2.5% of listed buildings. Therefore, greater weight should be given to its conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

The application proposes a series of timber repairs to the structural elements and fenestration to the lantern over the central dome. It is understood that this fabric is original to the building and has been subject to a series of repair regimes over a period of years. The application includes no assessment of significance or of particular relevance to this application, the significance of the lantern and its fabric (a statutory requirement of para 189 of the NPPF). The submitted information does not comprehensively describe the methodology or exact extent of the repair works (approximating to a replacement of a third of the joinery), although we are persuaded that the repairs are indeed needed and justified.

The submitted photographs clearly show where the repairs have reached the end of their useful life and on the basis of the apparent timber rot and associated evidence of water damage to highly significant internal plaster finishes, we support the council's investment into the maintenance of this key asset. You should satisfy yourself that the extent of replacement fabric, once identified, is properly justified on a case-by-case basis. We suspect this could be agreed through condition and that any adjustments to the construction of the lantern, including joinery profiles and flashings are carefully considered. As assessment of the glazing should also be carried out and assuming that all historic glass is to be carefully removed for re-use, any replacement due to damage is on a like-for-like basis.

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". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm.

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 16(2) 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 and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

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

5. PUBLICITY AND REPRESENTATIONS

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

5.1 A site notice was placed near the site and an advertisement was placed in the Gloucestershire Echo.

5.2 No comments were received.

6. OFFICER COMMENTS

6.1 It is one of the core principles of the National Planning Policy Framework 2018 (NPPF) that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16, paragraph 192 of the NPPF requires local planning authority to identify and assess the particular significance of any heritage asset... taking into account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

6.2 Section 16(2) of the Planning (Listed buildings and Conservation Area) Act 1990 states that "In considering whether to grant listed building consent for any works the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

6.3 Paragraph 193 of the NPPF 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 (and the more important the asset, the greater the

weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

- 6.4** Paragraphs 193-196 set out the framework for decision making in applications relating to heritage assets and this assessment takes account of the relevant considerations in these paragraphs.
- 6.5** Pittville Pump Room is a grade I listed building within the Central Conservation Area: Pittville Character Area. Constructed circa 1825-30 by architect John Forbes for William Pitt, built as a centrepiece for the town of Pittville, it is the largest and grandest of the town's spas'. Pittville Pump Room is described in its list description as being “long considered to be the finest in Cheltenham.”
- 6.6** The current use of Pittville Pump Room is a venue and tourist attraction.
- 6.7** The proposed works relate to repairs to the lantern on the dome, located on the roof. Due to its exposed location at the peak of the building, approximately a third of the timber has become rotten.
- 6.8** Notably the submitted application lacks detail concerning the exact extent of rotten timber and the location of replacement timber. This is noted by Historic England in their comments on the proposal. Notably they go on to state this issue can be addressed by condition.
- 6.9** The proposed repairs are required to prevent further deterioration of historic fabric and are therefore in the interest of the heritage significance of the listed building. If the application is approved further details of the sections of the lantern to be repaired and their detailing should be required by condition.
- 6.10** Having regard to the above, the proposed works sustain the designated heritage asset and therefore, having due regard to Section 16 of the Planning (Listed Building and Conservation Area) Act 1990 and Policy SD8 of the Joint Core Strategy 2017, consent should be approved subject to conditions.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is recommended the proposal be granted with conditions.

8. CONDITIONS

- 1** The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2** The listed building consent 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 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to saved policy CP3 of the Cheltenham Borough Local Plan (2006), adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 The extent and detailing of the repair works shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to saved policy CP3 of the Cheltenham Borough Local Plan (2006), adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

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.

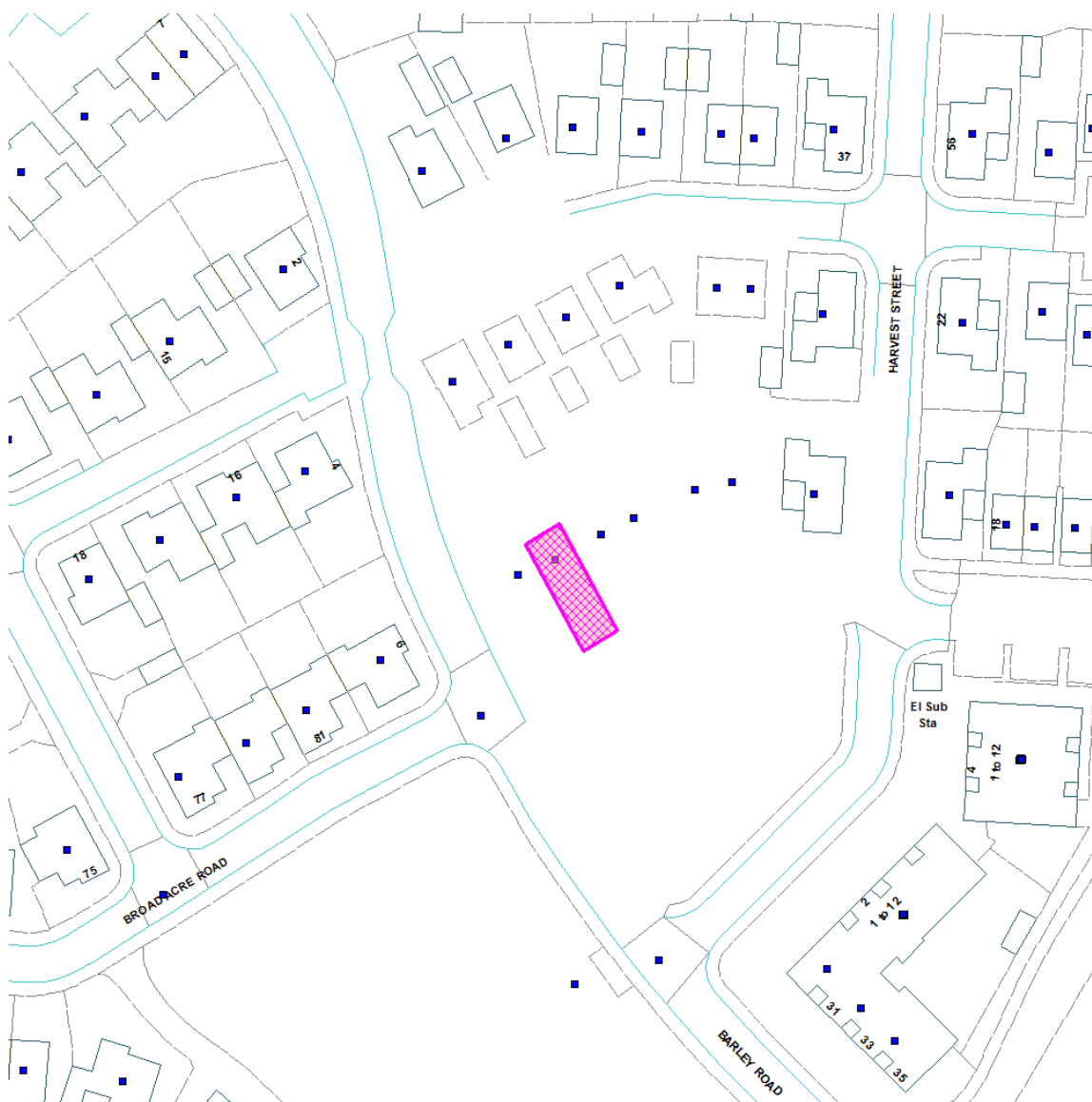
At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in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

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APPLICATION NO: 18/02137/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 1st November 2018	DATE OF EXPIRY: 27th December 2018
DATE VALIDATED: 1st November 2018	DATE OF SITE VISIT: 9th November 2018
WARD: Prestbury	PARISH: Prestbury
APPLICANT:	Mr Ricky Leach
AGENT:	Indeluxe Windows Ltd
LOCATION:	3 Harvest Street, Cheltenham
PROPOSAL:	Conversion of garage to utility and dining area, Installation of upvc door to side of property, erection of flat roof Orangery with roof lantern to rear of property.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached property which forms part of the Starvehall Farm development, the building is currently under construction and located on Harvest Street.
- 1.2 The applicant is seeking planning permission for the erection of a single storey rear extension, installation of a door into the side elevation and the conversion of the integral garage into habitable space.
- 1.3 The application is at committee due to a Parish Council Objection, the Parish Council object to the replacement of the garage door to a window due to its impact on the street scene of the new housing estate.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Relevant Planning History:

10/01243/OUT 12th January 2015 PER

Outline planning application for the development of the site to provide up to 300 houses and apartments, an extra care facility of up to 50 beds, associated public open space, circulation with road access via New Barn Lane and Prestbury Road. With the exclusion of the road design all other matters are reserved for future consideration but all such elements to be subject to the design code.

15/01794/REM 1st April 2016 APREM

As defined in the conditions attached to Outline permission: Layout, scale and appearance of buildings, landscaping and highways

Arrangements for car parking, drainage, planting, building materials, hard surfacing materials, design, materials, colour and finish of proposed external windows and doors, boundary treatment details, refuse, recycling and secure cycle storage facility details, soft landscape works details

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 Neighbouring Amenity

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Parish Council

13th November 2018

Objection. The replacement of the garage door for a window has a major impact on the street scene of a new estate.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 2 letters were sent to neighbouring properties, no letters of representation have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.3 Design

- 6.4 The proposed single storey rear extension is a relatively small scale flat roof extension that will sit comfortably within the plot and will read clearly as a subservient addition to the property. The design of the extension is appropriate for an addition to this modern property and the proposed materials are to match which is wholly appropriate and acceptable.
- 6.5 The insertion of a new door in the side elevation is acceptable and will match all other openings in the property.
- 6.6 Officers duly note the concerns raised by the Parish Council with regard to the impact on the street scene as a result of the proposal to replace the garage door with a window. Officers appreciate that this development is new and is still under construction and that changes to any of these properties would have an impact on the overall design and appearance of the street scene.
- 6.7 Officers are disappointed that changes to the front of this new build property are being proposed and have discussed the proposal in more detail with the applicant's agent. Whilst the applicant still seeks to convert the garage to habitable space they have submitted a revised plan showing an amended design for the window.
- 6.8 The amended design shows a window that would match the other openings in the property in terms of its design, proportions and material. The application site and attached neighbouring property have differing designs and therefore already appear different in the street scene. Whilst officers appreciate this building would not exactly match others of this style in the locality, officers do not feel that the proposed change which is considered to be relatively minor would result in any unacceptable harm to the

design of the property or result in an unacceptable impact on the character of the street scene.

- 6.9** The proposal is considered to be compliant with the requirements of the local plan policy CP7, adopted JCS policy SD4 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).

6.10 Impact on neighbouring property

- 6.11** The proposed works are not considered to result in any unacceptable impact on neighbouring amenity in terms of a loss of light or loss of privacy. In addition, no letters of objection have been received in response to the neighbour consultation process. However, officers have noted that the immediate properties are still under construction and are therefore not currently occupied.

- 6.12** The proposal is therefore considered to be compliant with Local Plan policy CP4 and adopted JCS policy SD14 which requires development to protect the existing amenity of neighbouring land users and the locality.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Having considered all of the above, officer recommendation is to permit the application, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

- 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** All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

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

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, the authority sought revisions to the design;

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

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APPLICATION NO: 18/02186/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 27th October 2018		DATE OF EXPIRY: 22nd December 2018
DATE VALIDATED: 27th October 2018		DATE OF SITE VISIT: 22nd November 2018
WARD: Oakley Ward		PARISH:
APPLICANT:	Pivotal	
AGENT:	Brodie Planning Associates	
LOCATION:	245 Prestbury Road, Cheltenham	
PROPOSAL:	Proposed change of use to 13 bed supported living accommodation (sui generis), internal and external alterations to include the addition of an office at ground floor, an infill extension to the northeast elevation, replacement of glazed roof lean to at rear and additional roof lights	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application sites relates to a detached property located on Prestbury Road. Immediately adjacent and to the rear of the site are residential properties with a day centre opposite.
- 1.2 The applicant is seeking planning permission for a change of use to 13 bed supported living accommodation (sui generis), internal and external alterations to include the addition of an office at ground floor, an infill extension to the northeast elevation, replacement of a glazed lean to roof at the rear, addition of roof lights and the removal of a small existing lean to structure on the southwest elevation.
- 1.3 The application is at planning committee at the request of Councillor Rowena Hay who has concerns regarding the management of the building as well as requesting members review the application on behalf of the neighbour who has raised additional concerns.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Relevant Planning History:

01/01553/FUL 14th December 2001 PER

Erection of single storey extension

84/00889/PC 24th January 1985 REF

Change Of Use/Alterations To Proposed Dwelling To Provide Hotel Annexe With Residential Accommodation Above

87/00071/PC 19th February 1987 PER

Change Of Use From Hotel To Rest Home

88/01319/PF 27th October 1988 PER

Conversion Of Loft Space To Living Accommodation

94/00912/PC 17th November 1994 PER

Change Of Use From Hotel To Supported Lodgings For The Recovering Mentally Ill

98/00531/FUL 25th October 2001 PER

Proposed conversion to 2 self contained flats plus 7 bedsits (as amended by revised plans)

06/00597/COU WDN

Conversion of property (internally) to nine self contained flats as per previous application 98/00531/FUL

83/01045/PF 26th May 1983 PER

Change of use to rest home

83/01046/PF 15th December 1983 PER

Change of use from residential to hotel/guest house

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

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

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality
INF1 Transport Network

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

5th December 2018

Report available to view.

GCC Highways Planning Liaison Officer

15th November 2018

I refer to the above planning application received on the 5th November 2018 with Plan Nos: 353A3-P1A-01 REV G, Design & Access Statement, 353A3-P1A-01 REV E, 353A3-P1A-02 REV E.

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

1. The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan ref: 353A3-P1A-01 rev G and those facilities shall be maintained for the duration of the development.

Reason:- To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

Statement of Due Regard

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

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

Environmental Health
4th December 2018

I have no comments or objections to this proposed change of use to 13 bed supported living accommodation at 245 Prestbury Road.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

5.1 5 letters were sent to neighbouring properties, 2 letters of objection have been received.

5.2 The objections received have been summarised but are not limited to:

- Location of proposed bin/recycle store
- Over development of the site
- Noise and disruption
- Loss of privacy
- Management of the building/use

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are the principle of the change of use, the design and impact on neighbouring amenity.

6.3 The site and its context

6.4 The site is a large building sat in a reasonable plot. The properties directly adjacent and to the rear of the site are residential properties, directly opposite the application is 'The Prestbury Day Centre' run by Gloucestershire County Council.

6.5 Infill extension and external alterations

6.6 As part of this application the proposed work includes an extension to the northeast elevation, this extension is a small scale addition that will infill a small courtyard area. The design is considered to be appropriate with materials to match. In addition, the works include the replacement of a lean to roof to an existing single storey rear projection and the removal of an existing single storey structure to the southwest elevation, these alterations are considered to be an improvement for the building and are acceptable. The addition of roof lights is also considered to be acceptable.

6.7 The proposed infill extension and other external alterations will not result in any unacceptable impact on neighbouring amenity in terms of a loss of light or loss of privacy.

6.8 Officers note the concerns raised by the neighbouring land user regarding a potential loss of privacy as a result of side elevation windows. The windows shown are all existing windows, no new openings are proposed. Planning permission for internal alterations to this building would not be required, therefore officers do not feel it would be reasonable to control the windows within this application.

6.9 Principle of use and impact on neighbouring amenity

6.10 Officers have reviewed the planning history of the site, reviewed the applicants design and access statement and discussed the site with the council's enforcement team. It would appear the last established and operational use was that granted in application number 94/00912/PC which granted permission for use of the building as supported lodgings for the recovering mentally ill. The application allowed for the provision of 10 bedrooms and additional communal facilities.

6.11 This application seeks permission for a very similar use to that already approved and is detailed within this application as 'supported living accommodation'; the proposal however includes the provision for 13 units, an increase of 3 from that already approved.

6.12 Whilst officers duly note the concerns raised by the neighbouring land user at number 247 Prestbury Road and the reasons highlighted by Councillor Hay for the application to come to planning committee. The proposed use is very similar to that already established and therefore the use within this application is also considered to be acceptable. The main consideration of this application is the acceptability of increasing the number of units from 10 to 13. It is the view of officers that an increase in 3 occupants will not result in over development of the site or result in an unacceptable impact on neighbouring amenity in terms of noise and disturbance.

6.13 Officers have discussed the application in more detail with Councillor Hay who wants officers and committee members to consider adding a condition which would require a member of staff to be on site 24 hours a day. When adding a condition to any planning permission, the condition must be reasonable, necessary and enforceable. Officers have considered a condition of this nature and have discussed this with our enforcement team. It is the view of officers that this condition would not meet these tests and has therefore not been suggested.

6.14 The applicant's design and access statement states that the use will 'include the provision of a house manager on site from 09.00-17.00 Monday to Friday and a daily concierge service between the hours of 17.00-09.00 and at weekends'. The applicants therefore appear to be aware of the needs for this site.

6.15 Officers consider the principle of the change of use to provide 13 bedroom supported living accommodation to be acceptable.

6.16 Other considerations

6.17 Gloucestershire Highways were consulted on this application and their full response can be read in section 4 of this report. No objection is raised however a condition has been suggested regarding the provision of bike storage which has been included.

6.18 Officers and the neighbours at 245A Prestbury Road raised concerns regarding the provision of bin/bike storage proposed in front of the building, this was discussed with the applicants agent. As access to the rear will be provided following the removal of the structure to the southwest elevation, officers suggested that the bin/recycling storage could be located to the rear of the site. A revised plan has been submitted and shows it located at the rear and is now acceptable.

- 6.19** Whilst on site officers discussed the provision of secure bike storage with the applicant's agent, it was identified on site that there were a number of existing sheds/outbuildings to the rear of the site which could be used. A revised plan has been submitted 353A3_P1A_01 rev H which identifies these outbuildings and a condition has been added to ensure these are available for use prior to occupation of the building and are maintained available thereafter.
- 6.20** Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed small scale development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Having considered all of the above, officer recommendation is to grant planning permission, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

- 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 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

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

- 4 The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan ref: 353A3-P1A-01 rev H and those facilities shall be maintained for the duration of the development.

Reason:- To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

- 5 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in the location shown on the approved plan 353A3_P1A_01 Rev H and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

INFORMATIVES

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

In this instance, the authority sought revisions regarding the provision of bin and bike storage;

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

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APPLICATION NO: 18/02186/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 27th October 2018		DATE OF EXPIRY : 22nd December 2018
WARD: Oakley Ward		PARISH:
APPLICANT:	Pivotal	
LOCATION:	245 Prestbury Road, Cheltenham	
PROPOSAL:	Proposed change of use to 13 bed supported living accommodation (sui generis), internal and external alterations to include the addition of an office at ground floor, an infill extension to the northeast elevation, replacement of glazed roof lean to at rear and additional roof lights	

REPRESENTATIONS

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

247 Prestbury Road
Cheltenham
Gloucestershire
GL52 3ET

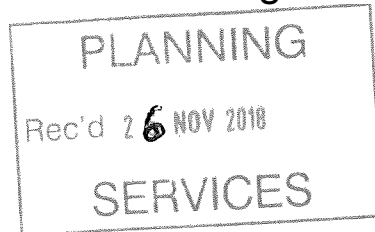
Comments: 26th November 2018
Letter attached.

245A Prestbury Road
Cheltenham
Gloucestershire
GL52 3ET

Comments: 18th November 2018
My wife and I own the property next door - no 245A.

While we have no objection to the majority of changes which have been proposed, we are very concerned about the plans to install a very large bin/recycling store at the front of the property which would be situated next to our low garden wall.

We are concerned that this bin store will be both unsightly and malodorous right next to our front garden. If the scale on the drawing is correct, it will be huge and will be very noticeable from our living room window. If the new owners are planning to erect a high fence right along the boundary between our two properties, so that it will be concealed and we do not have to look out on a recycling store, that's fine, but if not, we would like you to know that we object in the strongest terms to this aspect of the proposed changes to the property.



247, Prestbury Rd,
Cheltenham,
Gloucestershire,
GL52 3ET

25 Nov 2018

Ref Planning Proposal 18/02186/FUL

Cheltenham Borough Council
Planning Department,

Dear Mr Hawkes,

Thank you for the opportunity for us to comment on the application for planning in the letter that you sent on 5 Nov 2018.

In 1998 permission was granted (94/00912/PC) to the then owner (on a named person basis only), who was a qualified mental health nurse, to use the property for people recovering from mental illness. It was taken to the full Cheltenham Planning Committee and granted on the basis that it was only for that owner with several conditions and provisions put in place to ensure standards of care and that the property was well managed. This included the 24 hour presence of a named and contactable manager who would respond to challenges as they arose. This worked well and, for example, when a resident found themselves locked out for the night and came to us, we were able to get the manager to let them in. Residents who lived in the rooms overlooking our garden were chosen to be respectful of noise and privacy as would be normal in such a residential area. The manager dealt with the few occasions when people became ill and were shouting loudly with open windows.

The planning application is for two changes. The first is a significant increase in the number of dwellings, and the second is for change of use "sui generis" (ie "of its own kind").

1. Over-Development of the Site

When the previous owner obtained the permission above and subsequent (non-special-purpose) permission to convert the property for 2 flats and 7 bedsits he told us that this was the maximum number that the Planning Office believed to be acceptable. There was ample provision for communal spaces and facilities included for the resident's social needs.

This new application is to increase the number of dwellings (in the same physical house space) to 13 dwellings (9 studios and two flats). We do not support this application and we have **several serious objections and concerns:**

a. The increase in units from 9 to 13 is almost a 50% increase from what was previously thought to be the acceptable maximum (in fact there could be more than this number of people if two people were living together in the flats). We believe that the number of dwellings within the property (which is basically a large 4 bed house) has a direct effect on the noise and potential for disturbance to neighbours and others in the building.

b. The increase has come largely from conversion of what were communal areas into studios. There is at present a shared living room, dining room and kitchen and the plans show that with the changes proposed there will be only an office, and a very small meeting room. We believe that the new residents will have similar needs to the previous occupants, and since there will be a large number of people living in dwellings of restricted size, they will need the same communal facilities.

c. A property with so many dwellings is more like a medium sized "facility", and hence a significant change from being a residential home for the recovering mentally ill. To have such a large number of people in one house in a residential neighbourhood is over-development of the property.

2. Change of Use

This application is for a change of use because the previous permission was granted solely for the previous owner, who was a specialist nurse.

The proposal is to use the building to provide 13 dwellings for people who have experienced difficult circumstances as detailed on the Pivotal web site <https://www.pivotalhomes.co.uk/what-we-do/peoples-stories>.

We are concerned to ensure that **appropriate measures are put in place to manage the high potential for noise and disruption :**

a. As with the previous owner we request that there is a 24 hour responsible, named manager present and contactable at all times to deal with any challenges and disruptions that may happen. The application proposes a "concierge" from 1700 to 0900 and at weekends. We would like to know what this means in practice, and want conditions to be placed on the owner that this person is trained to manage situations, is contactable and is present at all times.

b. Our conservatory and rear garden are very much overlooked by one of the flats, one studio and the meeting room. Hence, as with the agreement reached in the previous permission, we request that the manager select people who are likely to be respectful of privacy and noise for the rooms that overlook our property.

c. We request that the "meeting room" overlooking our conservatory and back garden continues to have a non-opening window with opaque glass.

d. There is mention made of the provision of staff to care for and help the occupants. We request that the council ensure that the staff are trained and resourced appropriately.

e. We request in the same way that the Council regularly check that this facility is being well managed according to any conditions, provisions or agreements made with the owner, with potential to withdraw planning if they are not met.

f. As previously, we would ask that if the planning permission is granted, it would be specific and only for the new owner so that any future owner would also be subject to re-application for change of use.

In conclusion, we request that this matter is taken to the full Cheltenham Borough Council planning committee and that they review whether this application is **over-development**, with consideration given to the fact that the original decision was that the maximum number of units for this property size and location was for 2 flats and 7 bedsits.

We also request that conditions, provisions, and agreements are placed on this application as detailed above for **the change of use** and that regular checking mechanisms are put in place to ensure they are being met.

Yours Sincerely,

