



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

**Tuesday, 28 May 2019
6.00 pm**

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

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 - 18)
To approve the minutes of the meeting on 18th April 2019.
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
7. **18/02053/FUL - 48 SWINDON ROAD, CHELTENHAM** (Pages 19 - 56)
[Planning Application Documents](#)
8. **19/00431/FUL - MONKSCROFT VILLAS, PRINCESS
ELIZABETH WAY, CHELTENHAM** (Pages 57 - 74)
[Planning Application Documents](#)
9. **19/00423/FUL - LAND AND GARAGES AT KING ALFRED** (Pages 75 - 90)

WAY, CHELTENHAM

[Planning Application Documents:](#)

10. **19/00450/FUL - 8 GIFFARD WAY LECKHAMPTON CHELTENHAM** (Pages 91 - 98)
[Planning Application Documents](#)
11. **ITEM WITHDRAWN - 19/00634/FUL - 43 CARMARTHEN ROAD, CHELTENHAM** (Pages 99 - 106)
[Planning Application Documents](#)
12. **19/00485/LBC - PITTVILLE PUMP ROOM EAST APPROACH DRIVE CHELTENHAM** (Pages 107 - 112)
[Planning Application Documents](#)
13. **ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND REQUIRES A DECISION**
14. **LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION RESOLVED THAT**

In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 5, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

15. **EXEMPT MINUTES** (Pages 113 - 116)
To approve the exempt minutes of the meeting on 18th April 2019.

Contact Officer: Judith Baker, Planning Committee Co-ordinator,
Email: builtenvironment@cheltenham.gov.uk

Planning Committee

**Thursday 18th April 2019
18:00 – 20:10**

Present at the meeting

Councillor Paul Baker (Chair)
Councillor Stephen Cooke
Councillor Diggory Seacome
Councillor Victoria Atherstone
Councillor Bernard Fisher
Councillor Dilys Barrell
Councillor Mike Collins

Councillor Alex Hegenbarth
Councillor Paul McCloskey
Councillor Tony Oliver
Councillor Simon Wheeler
Councillor John Payne
Councillor Rowena Hay

Officers in attendance

Joe Seymour, Senior Planning Officer
Chris Chavasse, Senior Trees Officer
Nick Jonathan, Solicitor
Lucy White, Senior Planning Officer
David Oakhill, Head of Planning
Ben Hawkes, Planning Officer

1. Apologies

Apologies were received from Councillor Barnes and Hobley.

2. Declarations of Interest**1. 18/02053/FUL, 48 Swindon Road, Cheltenham**

Councillor Seacome advised he was a friend of the applicant and so would leave the chamber for the duration of the debate.

2. 19/00550/FUL, 103 Linden Avenue, Prestbury, Cheltenham

Councillor McCloskey explained that he knew the applicant and so would leave the chamber for the duration of the debate.

Councillor Payne advised that would be speaking in support of the application and then would leave the chamber for the debate.

3. Declarations of independent site visits

None.

4. Public Questions

There were none.

5. Minutes of last meeting

The minutes of the meeting held on 21st March 2019 were signed as a true record, without amendment.

6. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications – see Main Schedule

7. 18/02053/FUL, 48 Swindon Road, Cheltenham

Application Number:	18/02053/FUL		
Location:	48 Swindon Road, Cheltenham		
Proposal:	Demolition of existing buildings and redevelopment of site comprising 7 apartments and 2 semi-detached houses		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Defer		
Letters of Rep:	10	Update Report:	1. Additional representations

Councillor Seacome left the chamber for the duration of the debate.

JS introduced the applications as above, the proposal was for the demolition of the existing buildings and redevelopment of the site comprising 7 apartments and 2 semi-detached houses. The application was at committee at the request of Councillor Brownsteen due to concerns about parking and highways safety. He further advised that a late representation had been received from a neighbour in objection.

Miss Shill, on behalf of residents, in objection

Miss Shill highlighted that despite the fact the development was on 48 Swindon Road, 75% of the development faced on to Normal Terrace and 100% of the dwellings had access via Normal Terrace. She indicated that this would have a considerably affect on the residents of Normal Terrace, yet no assessments had been conducted, including on the impact of the local infrastructure, safety and residents. Residents key concerns were around highways, reduction in parking spaces and refuse issues. She noted that the development made no provisions for the storage of recyclable waste and had assumed that residents would use the current bins which were already overfilled on a weekly basis. She highlighted that residents on Normal Terrace were already competing for limited car parking spaces and were often required to park on surrounding streets. She felt it unrealistic to assume that because of the developments proximity to the town centre residents would not have a car. She cited further concerns around highway access and pedestrian safety as the development would remove the space in front of the garages that was presently used for turning. As such, residents would be required to reverse out on to Swindon Road and the addition of the flats would further hinder reversing drivers line of site. She reiterated that the residents were not against development, however, felt that the plans were not right for this pocket of town.

Miss Brown, on behalf of the applicant, in support

Miss Brown confirmed that the applicant owns the site at 48 Swindon Road site. She felt that the site was a tired site and in need of investment. She confirmed that the proposals were for the demolition of the existing buildings and redevelopment of the site to include a mix of contemporary and traditional buildings which would remove the elements of the site considered detrimental to the character of the conservation area by the planning officers. She highlighted that the applicant had proactively engaged at all stages of the process in order to achieve a well designed scheme that the conservation officer had not objected to. The development would also create 9 additional much needed dwellings. Whilst there had been no provisions for parking she reasoned that the site was in a highly sustainable location close to local amenities and services. She acknowledged the publics comments regarding parking however noted that it was not the applicants responsibility to readdress additional parking issues in Normal Terrace. She confirmed that adequate bin and cycling storage had been provided within the site so that the proposal would not encroach on to the street. Of note was the fact the County's local highway authority had not objected to the application and that the development accorded with the principles of the NPPF and the development plan.

Councillor Johnny Brownsteen in objection

Councillor Brownsteen's main concerns were around the danger to motorists and pedestrians on Swindon Road and Normal Terrace. He reiterated residents concerns that the removal of the turning space would force residents to reverse out on to Swindon Road and would further narrow the entrance to Normal terrace creating two blind turns. He acknowledged that parking was a problem across Cheltenham, particularly in St Pauls as a result of its proximity to major employers and felt that permitting this proposal would exacerbate these issues. Of note was the fact that half of the residents of Normal Terrace had met with Councillor Brownsteen which highlighted the opposition to the proposal. He advised that residents understood the need for more housing, however, this proposal would adversely affect them and their safety. Whilst he recognised the councils pressures to meet the land supply requirements he felt that the small numbers of dwelling created from this development were not sufficient for this proposal to count towards that target in a significant way.

Members debate

MC: He had concerns with the application, however, welcomed the 9 additional much needed dwellings. His main concern was the fact that the 2 parking spaces had now been removed and residents would have to pull out on to Swindon Road. He acknowledged that Cheltenham Borough Council does not have any adopted minimum parking standards but reasoned that people living in such a location would still have cars. He felt that the plot was unsuitable and there was a great concern for the safety of pedestrians. He noted that a site notice was displayed and the proposal was advertised in the Gloucestershire Echo, however, had concerns as to whether this met the councils responsibility with regards to statutory notices.

TO: Queried whether only 1 Normal Terrace had been notified of the application as per the residents comments. He had concerns that the proposal may generate more demand for residents' parking permits in zone 11 and had contacted Gloucestershire County Council who had advised that there was no limits on the number of permits issued. He felt that they should be lobbying to change the policy on residents parking permits as this was causing problems throughout the town.

JS in response:

- Confirmed that legally the site notice and advert in the Echo does satisfy their statutory requirement. He advised that the Council had met its statutory obligations for planning application notification.

BF: Queried whether the bins store were adequate for rubbish and recycling for every dwelling, had been alarmed on planning view at the number of bins out in the road. Felt that highways should have commented, particularly given the issue of reversing out on to Swindon Road and queried whether they had been notified of the late representation received. He questioned whether all of the area in front of the garages would be built on. He also had concerns regarding parking and felt that people living in the centre of the town would still own cars. He had major concerns about people reversing out on to Swindon Road and suggested that the committee defer the application until further correspondence was had with the County Council as the authority responsible for highways and parking.

SW: Thought that reversing out on to a main road was a criminal offence and in his opinion 9 properties on one small plot of land was over development. He felt it unacceptable that the land presently used for turning would be built on and reasoned that whilst it was a good site for development the current scheme was unacceptable.

PM: Felt the scheme would cause a multitude of problems for residents, particularly with regards to parking. He also raised concerns about the fact that tenants often didn't pass on information regarding applications to landlords and as such, he did not feel the notification process was fit for

purpose. He suggested that the loss of amenity by all of the residents of Normal Terrace be explored as reason for refusal.

JP: Reasoned that the design was imaginative and attractive but in the wrong location. He had concerns about parking and implications for road safety and the obstructed visibility splay. He was further concerned that the Highways liaison officer had no objections to the application.

DB: queried what information officers had on visibility (traffic) and whether any studies had been conducted. Shared concerns about residents on Normal Terrace having to reverse out on to Swindon Road and the impact on their health and wellbeing as a result.

SC: Reasoned that Cheltenham needed the additional 9 dwellings, however, they clearly needed to consider the balance versus effect. Despite the fact it was in a central location, he highlighted that a third of people commute out of town and that the development could see a considerable increase in the number of cars in the road. He also felt that the provisions for bikes and bin storage was inadequate.

JS in response:

- In response to concerns about residents parking permits he reasoned that that there was never going to be enough road space for 2 cars per household and it was not for this development to address the existing parking issues.
- The two semi detached properties had access to the rear garden and so could store bins to the side or the rear.
- He agreed that the bin store allocation for the flats was small, however, there was a lot of residual space for bikes and bins.
- With regards to the visibility on to Swindon Road, the demolition of the existing build and the construction of new building would be set back slightly from Swindon Road and so there would be minimal change to the visibility.
- He confirmed that the area currently used as a turning area is private land and so is only used informally as a turning area. He highlighted that there were other areas in Normal Terrace where people were able to turn their cars.

DO: Advised that the council has no parking or bike standards and so doesn't require a certain amount of parking spaces to be provided on each site. He confirmed that the Highways Authority, who are the technical experts for highway matters, had no objections to the proposal and so the committee should be cautious in pursuing highways safety and parking as a reason for refusal. He reiterated that the area currently used for parking is private land and so the committee should also be cautious of using that as a reason for refusal.

PM: With regards to residents concerns he felt that they were in danger of breaching Article 8 of the Human Rights Act, due to the increase in stress that the development would cause to the current residents of Normal Terrace. He also felt that piling more cars in to the street to the detriment of local residents would result in loss of amenity. He also moved to refuse on the grounds of CP4 and SD14.

DO: Advised that he did not believe Article 8 was relevant and could set a dangerous precedent for the council to think of development in that context. He suggested that if they minded to refuse they should focus on the local plan and intentions of that plan.

BF: Had concerns about refusal and proposed deferral until further correspondence with the highways specialist on the obstructed visibility splay and parking concerns.

PB: Agreed that the response from the highways authority was inadequate and agreed with proposal for deferral. He requested more meaningful engagement with highways and suggested they be in attendance at next meeting when the item was to be discussed further.

Vote on proposal to defer

11 in favour

1 abstention

APPLICATION DEFERRED

8. 19/00304/FUL, 99 Painswick Road

Application Number:	19/00304/FUL		
Location:	99 Painswick Road, Cheltenham		
Proposal:	Erection of two and single storey side and rear extensions and various external alterations to the existing building.		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	6	Update Report:	None

LW: Introduced the application as above. She explained that the proposal was for the erection of two and single storey side and rear extensions and various external alterations to the existing building. It was at the committee at the request of Councillor Barrell due to the contemporary design and impact on the conservation area.

In terms of background, she highlighted that the application follows the withdrawal earlier in 2019 of two previous planning proposals for the site following concerns from officers. She explained that officers had assessed the impact on the conservation area, the existing dwelling and neighbouring properties. She acknowledge that it was a large extension, however, she considered the site wide and deep enough to accommodate it. She confirmed that the property is located within the Central Conservation Area and the existing building is an example of a late Arts and Craft style dwelling.

John Clarke, neighbour in objection

Mr Clarke felt that there was no planning gain from the application and felt it was purely a speculative development to add value through the planning system. Additionally, there would be considerable loss to the conservation area. As per the comments by objectors they felt that the extension would detract from the character of the area. He highlighted that the existing site footprint would be almost doubled by this application which he considered to be too large for this sensitive site. He acknowledged that the Parks Conservation Area Plan protects and promotes houses in large open mature garden settings and he felt that this application visibly builds on garden land close to the street frontage and closes down open views to Harefield Road and as such detracts from that objective. He highlighted that the house is one of 6 arts and crafts houses whose street frontages have largely been unchanged over the last 100 years, as such, this development would be a fundamental departure from that principle. He noted that the conservation area seeks to protect buildings of distinction and felt that this development would destroy that. He was also concerned that this would set a precedent for further development of this scale in this area.

Councillor Harman, in objection

Councillor Harman felt that this was a significant application for the future of Painswick Road. He acknowledged the objections from other residents and in particular the objection

from St Phillips and James Residents Association with regards to the excessive enlargement of this property and the alterations to the appearance of the street scene. He felt that the revised application did not address the core issues of concern residents had.

DB: Clarified that she hadn't taken personal view on the application but referred it to committee due to the concerns of residents and the residents association.

BF: Believed that there is a planning gain from the development and this proposal was better than building a separate dwelling in the garden. He reasoned that a number of properties on the street didn't fit in with the arts and crafts style.

CC: Confirmed that it is an arts and crafts property but a very late example. He confirmed that there aren't strict periods of architectural styles they can overlap, and this was an example of modernist architecture coming in. Its an unlisted building with the conservation area and identified in the conversation area as making a positive contribution to the conservation area.

SW : Believed it fits well within the site and is an interesting design.

RH: Concerned on planning view that garden would be substantially smaller, however, she queried whether with the garages coming down the garden would be larger than it is now?

DB: Acknowledged that the whole of Painswick road had different styles and period properties. She further noted that the arts and crafts garage would be coming down and this actually had an apple store above it.

JP: Believed it to be a fascinating house and interesting design that reflects the arts and crafts style. Agreed that it sits well within the plot that is sufficiently large enough not to be overwhelmed.

LW in response:

- Advised that the garden size post development would remain largely the same.

Vote on officer recommendation to permit

11 in support

1 in objection

1 abstention

PERMIT

9. 19/00388/FUL, Berkhamstead School, Pittville Circus Road, Cheltenham

Application Number:	19/00388/FUL		
Location:	Berkhamstead School		
Proposal:	Erection of a timber framed building within the school grounds for use as a 'wellbeing pod'		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	PERMIT		
Letters of Rep:	9	Update Report:	None

BH: Introduced the application as above, he explained that the application sought to erect a timber framed building at Berkhamstead School. It would be located on the land between Hewlett Road and the side elevation of the school that faces on to Cleevie Road. He advised that it would be located in Cheltenham's Central Conservation Area and was intended to be a wellness pod for school students. It was at committee at the request of Councillor Wilkinson and the officer recommendation was to refuse.

Miss Bareham, on behalf of the applicant, in support

Miss Bareham believed that the proposal for a 'wellebing pod' would not impact anyone negatively. She stressed that there would be no noise or visual impact to neighbours and it would be screened from view by existing trees and bushes, that would all remain as the building would be suspended on piles, therefore avoiding tree roots. She highlighted that it would be single storey and next to a busy road, which in itself is not in the conservation area. She advised that they had written to all off the surrounding neighbours and had received no objections. She advised that the building would be high quality design and fully functioning room with lighting and underfloor heating. Inside would be resources to support children's mental health, which she highlighted is vital to the future mental health of Cheltenham and an extremely important priority of the school. SH reasoned that the pod was necessary as an office or classroom can be uncomfortable as it can lead to many interruptions. She informed the committee that the space would also be use as a quiet space at playtime for children with sensory issues and those who find social interaction difficult. She highlighted that the children and parents had raised over £10,000 to fund the pod themselves.

AH: Could not see why they would refuse the application and suggested they move straight to the vote.

PB: Reasoned that officers had made an on balance decision and they should consider the reasons.

RH: Highlighted that the music block which was not aesthetically pleasing and visible from the road and that had been granted permission. Similarly there had been no objection from neighbours and she felt that they had made best use of the site. However, she requested a condition be imposed to ensure that no trees were to be removed.

SW: Agreed that the addition of the wellness pod was a good facility for the school. However, had slight concerns about the size of the plot and the possibility of erecting the structure without removing trees.

BF: Highlighted that the site is already crowded and located in a central conservation area.

MC: Agreed that mental health and wellbeing of young people were vitally important and should be supported, however, from a planning perspective he did not think the structure met the standards that it should.

DS: Queried whether the structure would have water and heating and suggested a condition be imposed to so that it doesn't end up being over developed from what the committee had been presented with.

DB: Agreed that children's wellbeing was vitally important and could see the benefits of the building. Requested assurance that the trees would not be affected given the size of the space available.

PB: Highlighted that there were already 3 buildings of similar size on site and felt this structure was screened by trees. He felt that the positive benefits far outweighed any potential negatives and agreed with a condition being imposed that ensure the trees remain.

AH: Acknowledged that the development is located in the conservation and there are issues around the retention of trees, however, reasoned that the benefits should be carefully considered.

Vote on officer recommendation to refuse

6 in support

7 in objection

NOT CARRIED

DO: Suggested the following reasons for overturning the officers recommendation:

- The committee found the proposal had an acceptable impact on the conservation area;
- The structure is well screened by existing vegetation; and
- Is of benefit to the school and its community.

He further suggested the following conditions be imposed:

- The number of years the consent is valid for;
- The plans need to be in accordance with;
- The final finish and material details to be provided;
- A tree protection methodology to be submitted and approved by the authority prior to the commencement of works.

Vote on reasons for deviating from officers recommendation

9 in support

3 in objection

1 abstention

CARRIED

10. 19/00550/FUL, 103 Linden Avenue, Prestbury, Cheltenham

Application Number:	19/00550/FUL		
Location:	103 Linden Avenue, Prestbury, Cheltenham		
Proposal:	First floor front extension to provide additional bedroom and conversion of garage to storeroom and habitable space (revised scheme following withdrawal of planning application ref. 19/00196/FUL		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	Permit		
Letters of Rep:	0	Update Report:	None

Councillor McCloskey left the chamber for the duration of the debate.

BH: Introduced the application, he explained that the proposal was for the first floor front extension over part of the existing garage to provide further living accommodation. He advised that it was at committee at the request of Councillor Stennett on behalf of the applicant and the officer recommendation was to refuse due to the poor design and the fact the structure would be at odds with the existing property and locality.

Mrs Mullens, applicant, in support

Advised that the purpose of the application was to bring two households together and adapt the space to accommodate her family of 4 and her elderly father. The application would essentially create a granny flat for her father allowing him to retain his independence and privacy as well as giving them adequate space to bring up a family. It would also prevent her father entering in to the care system.

She highlighted that the extension has the support from all of the neighbours, Prestbury parish council and the ward borough councils. She advised that a lot of time and consideration had been given to the design, considering neighbours on all sides. She further highlighted that the case planning officer had been consulted on two occasions prior to plans being submitted and they believed they had acted upon her advice. They were therefore surprised to see the report submitted to the committee and comments regarding poor design. They believed that the windows and general fenestration were in line with guidelines, however, were more than happy to amend them.

She highlighted that all of the surrounding houses were noticeably different in shape and size with alterations brought about by permitted alterations. She cited a case whereby a neighbouring property was permitted to raise the roof however it was permitted due to the differing designs on the street. They therefore believed that their design was not out of character with other properties in the local area and believed there were a number of less sympathetically designed extensions locally.

She advised that with regards to the design and look of the proposed extension they would carefully select materials that would match with the existing property and use the same coloured window frames and layout the windows as recommend by the planning officer. She noted that all of the extension had been planned within the original footprint of the house and they had ensured the roof design was in line with building regulations.

Councillor Payne, in support

Had concerns in the process that has led to recommendation for refusal, mainly because the plans before the committee were the second iteration of the scheme and the first had been withdrawn following discussions with the Planning Officer. The application before the committee was therefore a direct result of discussions with the planning officers and the current design had been submitted which incorporated suggestions put forward by the planning officer. He noted that changes suggested included changes to the roof height and changes to the fenestration, however, theses had now been cited as reasons for refusal. He highlighted that the officer comments regarding poor design and the fact it did not comply with local and national policy were not conveyed to the applicant during discussions. He noted that apart from some light loss to no 1010 due to overshadowing, officers do not consider the extension to have a significant harmful impact on the amenity of the neighbouring residents. He highlighted that there had also been no objections from neighbours on the Prestbury Parish Council. He acknowledged that the extension would be a prominent feature but the impact would be mitigated by the use of materials common to the existing dwelling and that and that a number of neighbouring properties had extensions that did not detract form the street scene.

Councillor Payne left the chamber for the debate.

DS: Noted that neighbouring properties had similar extensions and as such could not see the issue with the proposal. He further acknowledged the benefits of preventing someone entering the care system.

SW: Agreed that whilst it was not a planning consideration, preventing someone entering the care system is something that should be considered. Felt that the proposed front elevation was more acceptable than the existing and the design would make a much more attractive building.

RH: Had concerns about the central window, however, acknowledged that the house next door mirrors this designs. She also highlighted that architecturally all the houses on the estate were different.

BF: Felt that the garage roof dominates the existing property and the new proposal would actually improve the design.

MC: Echoed comments of committee regarding neighbouring properties and agreed that it was an interesting design.

Vote on officer recommendation to refuse

0 in support

11 in objection

0 abstentions

NOT CARRIED

DO: Suggested the following reasons for deviating from the officer's recommendation:

- That the committee find the proposal compatible with the mixture of styles and designs within the area that are as acceptable and in line with the local plan policies.
- He suggested a condition regarding the time, accordance with the plans and materials be imposed.

Vote on reasons for deviating from the officer's recommendation

11 in support

0 in objection

0 abstentions

CARRIED

11. Any other items the Chairman determines urgent and requires a decision

12. Local Government Act 1972 -Exempt Information

RESOLVED THAT

In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 5, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

13. Exempt Minutes

The exempt minutes of the meeting held on 21st March 2019 were signed as a true record, without amendment.

Chairman

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APPLICATION NO: 18/02053/FUL		OFFICER: Mr Joe Seymour
DATE REGISTERED: 12th October 2018		DATE OF EXPIRY: 7th December 2018
DATE VALIDATED: 12th October 2018		DATE OF SITE VISIT: 23rd October 2018
WARD: St Pauls		PARISH:
APPLICANT:	Scott McArdle	
AGENT:	SF Planning Limited	
LOCATION:	48 Swindon Road, Cheltenham	
PROPOSAL:	Demolition of existing buildings and redevelopment of site comprising 7 apartments and 2 semi-detached houses	

Update to Officer Report

- 1.1. This application was deferred at the Planning Committee meeting on 18 April 2019 due to concerns raised by Members regarding parking and highway safety. The Highways Officer at Gloucestershire County Council was re-consulted and has issued the following response.

Normal Terrace is a class 4 highway (No through road) which varies in width from 3.7m - 4.9m with limited areas to turn, however this is an historic existing situation that already occurs, the proposed development is to be a car free development site as displayed on revised submitted Site Plan ref: 21835/03E, furthermore the development site is located in a highly sustainable area with excellent links to public transport, providing a sustainable transport method to a number of employment areas as well as further regional and national sustainable transport options.

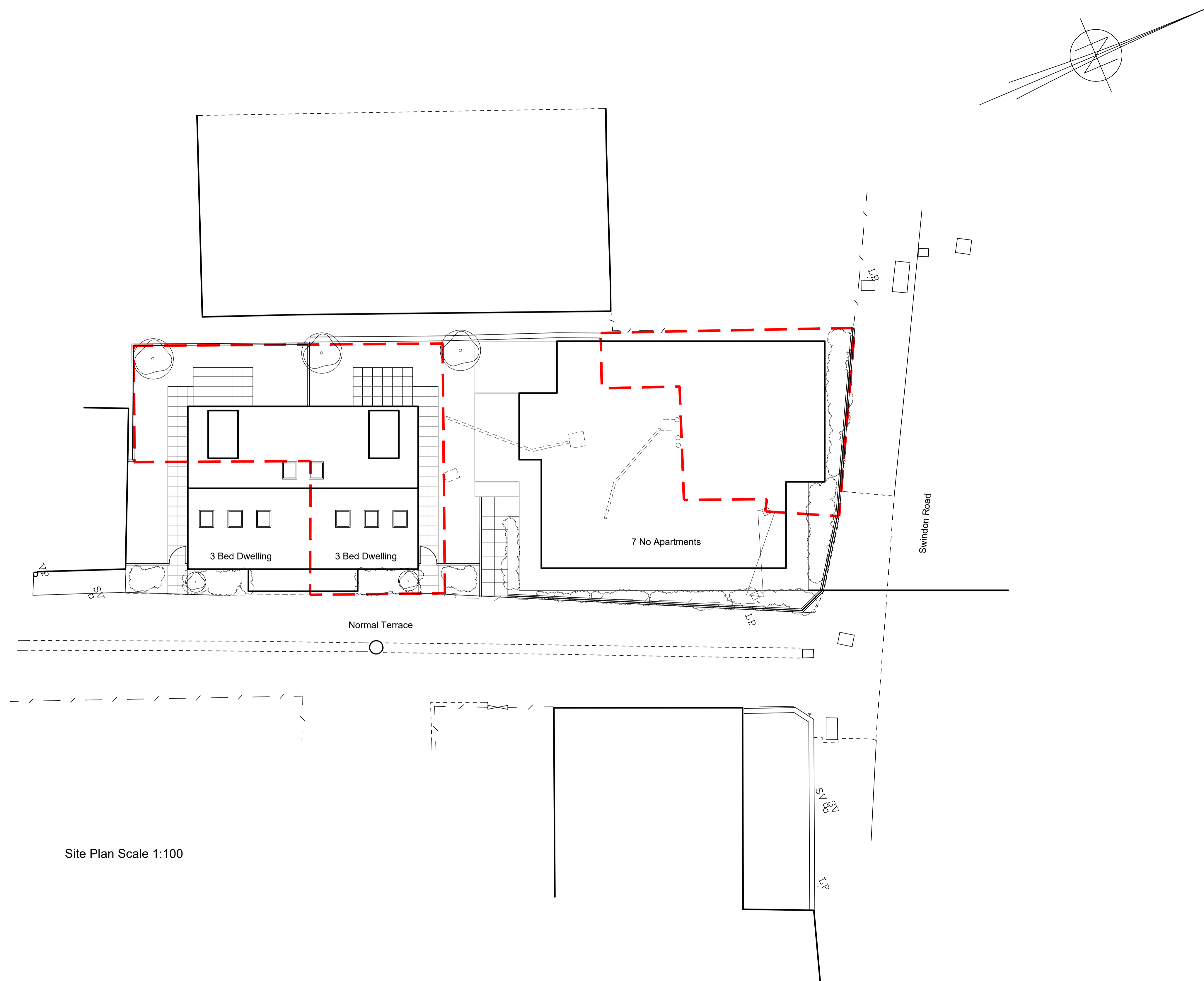
A permit does not give residents the 'right' to park their car immediately in front of their house or even on their own street (particularly in Normal Terrace given how narrow it is) and it only provides them with an opportunity to park anywhere they can find a space in zone 11.

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

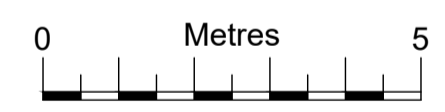
The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 9 bicycles has been made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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.

- 1.2. The additional condition requested by the Highways Officer will be added to the list of originally proposed conditions in the Officer report to the April committee meeting, should permission be granted.
- 1.3. Members expressed concerns during the April committee meeting about the visibility for motorists leaving Normal Terrace to join Swindon Road. The site plan ref: 21835/03/E shows the position of the proposed flats with an outline of the existing building to be demolished dotted in red. This shows that the new building would be set back further from Swindon Road compared to the existing building; therefore a slight improvement in visibility would be created by the development. For ease of reference this is attached to this update sheet.
- 1.4. Members also expressed concern/asked questions about the need to reverse from Normal Terrace onto Swindon Road. This related to the loss of an existing hard standing area in front of two attached garages on the application site on Normal Terrace, reportedly used by residents of Normal Terrace for turning. The advice provided at April's Planning Committee still stands. The area of hard standing reportedly used by Normal Terrace residents for reversing is private land and could be 'blocked' at any time without the need for planning permission, rendering this space unusable for car users. The creation of this development does not change the lawful status of this parcel of land. Whilst the use of this hardstanding by residents is convenient, the general public do not have a lawful right to use this space.
- 1.5. The officer recommendation to permit this application remains unchanged.



Site Plan Scale 1:100



48 Swindon Road
Cheltenham
Glos

Site Plan
As Proposed

Scale 1:100 @ A1, 1:200 @ A3
Date June 2018
Dwg. No. 21835/03/E



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Highways Development Management

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email: richard.jefferies@gloucestershire.gov.uk

Please ask for: Richard Jefferies

Our Ref: B/2018/041561

Your Ref: 18/02053/FUL

Date: 23 April 2019

Dear Joe Seymour,

**TOWN AND COUNTRY PLANNING ACT 1990
HIGHWAY RECOMMENDATION****LOCATION: 48 Swindon Road Cheltenham Gloucestershire GL50 4AS****PROPOSED: Demolition of existing buildings and redevelopment of site comprising 7 apartments and 2 semi-detached houses**

I refer to the above planning application following concerns raised from planning committee dated 18th April 2019.

Members deferred this application due to concerns over parking and highway safety.

Normal Terrace is a class 4 highway (No through road) which varies in width from 3.7m - 4.9m with limited areas to turn, however this is an historic existing situation that already occurs, the proposed development is to be a car free development site as displayed on revised submitted Site Plan ref: 21835/03E, furthermore the development site is located in a highly sustainable area with excellent links to public transport, providing a sustainable transport method to a number of employment areas as well as further regional and national sustainable transport options.

A permit does not give residents the 'right' to park their car immediately in front of their house or even on their own street (particularly in Normal Terrace given how narrow it is) and it only provides them with an opportunity to park anywhere they can find a space in zone 11.

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

1. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 9 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

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.

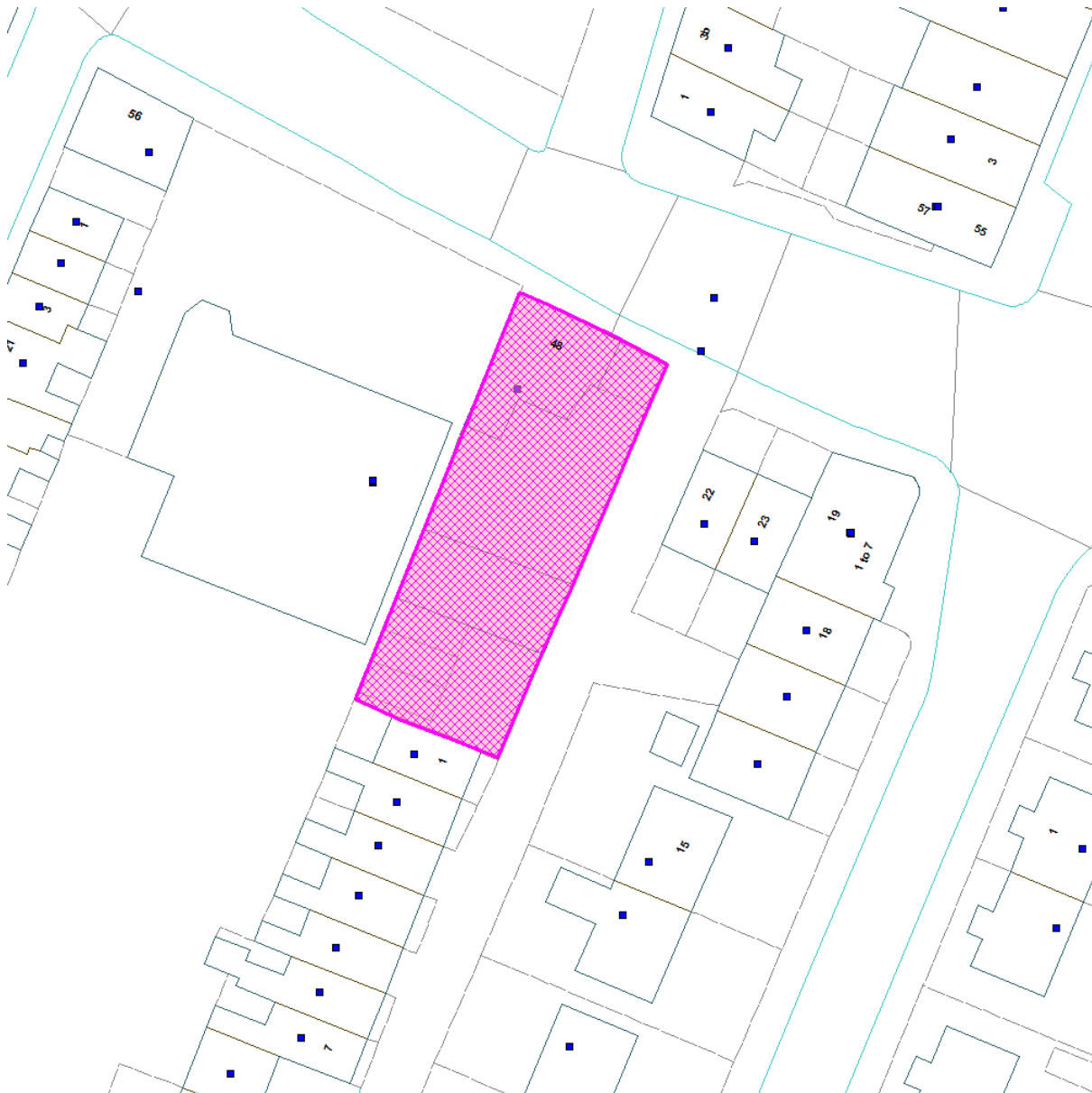
It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long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

Yours sincerely,

Richard Jefferies
Technician

APPLICATION NO: 18/02053/FUL	OFFICER: Mr Joe Seymour
DATE REGISTERED: 12th October 2018	DATE OF EXPIRY: 7th December 2018
DATE VALIDATED: 12th October 2018	DATE OF SITE VISIT: 23rd October 2018
WARD: St Pauls	PARISH:
APPLICANT: Scott McArdle	
AGENT: SF Planning Limited	
LOCATION: 48 Swindon Road, Cheltenham	
PROPOSAL: Demolition of existing buildings and redevelopment of site comprising 7 apartments and 2 semi-detached houses	

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site is located at 48 Swindon Road in the St Paul's ward of Cheltenham. Swindon Road is one of the main roads navigating the centre of Cheltenham and the buildings alongside the road range in age, architectural style and use. The site is located within Cheltenham's Central Conservation Area and many of the surrounding streets, including Normal Terrace which also forms the eastern boundary of the site, were constructed in the 19th century and they have retained their form to this day.
- 1.2 The buildings on site consist of a three-storey building which has the appearance of a former dwelling, but it was most recently used as the office for the vehicle rental business Enterprise, who have recently relocated to a site nearby on Tewkesbury Road. To the rear of the office building lies an open-fronted vehicle storage building and a more conventional garage block.
- 1.3 The proposed development involves the demolition of the buildings on site and the construction of a three-storey building containing 7 flats and a pair of semi-detached dwellings fronting onto Normal Terrace.
- 1.4 This application has been referred to the Planning Committee for determination at the request of Cllr Brownstein due to concerns relating to parking and highway safety in Normal Terrace.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Residents Associations
Smoke Control Order

Relevant Planning History:

81/01184/PF 29th October 1981 PERMIT

Change of use from shop/storage to service and repair motor vehicles

97/00129/PC 20th March 1997 PERMIT

Change Of Use From Business Yard, Workshop And Offices To Premises For The Hire Of Motor Vehicles Refurbishment Of Building To Include Replacement Of Existing Windows And Door For New Timber Sashes

97/00531/AI 31st July 1997 PERMIT

Erection of Two Illuminated Fascia Signs (Retrospective)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD10 Residential Development

SD14 Health and Environmental Quality

INF1 Transport Network

Supplementary Planning Guidance/Documents

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

Central conservation area: Lower High Street Character Area and Management Plan (July 2008)

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

26th March 2019

I refer to the above planning application in regards to revised plan ref: 21835/03E to which no highway objection is raised.

Heritage and Conservation

7th 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.

48 Swindon Road, Cheltenham is within the Central Conservation Area: Lower High Street Character Area and adjacent to the boundary with the Central Conservation Area: St Paul's Character Area. It identified within the Central Conservation Area: Lower High Street Character Area Appraisal and Management Plan (2008) as being a building that makes a positive contribution to the conservation area. 48 Swindon Road and its curtilage have undergone a number of unsympathetic alterations including extensions, outbuildings, boundary treatments, advertisements and the loss of its historic windows and doors, which diminish its appearance within the conservation area. The site is currently vacant. The proposed works are for demolition of the existing building and associated buildings and structures and its redevelopment comprising seven apartments and two semi-detached dwellings to its rear.

No objection is raised to the loss of the modern additions on the site as these are not considered to have heritage significance. Their loss would enhance the character of the conservation area. However, concern is raised over the proposed loss of main building. It is important to understand the character of the area to determine the heritage significance of this building. Swindon Road is characterised by a variety of uses, building typologies and periods. Building uses include residential, commercial and industrial with building types varying between terraces, flats and detached properties. There are a number of period properties including Regency and Victorian buildings and a number of fairly sympathetic modern buildings. Notably there are many side roads leading off Swindon Road. This results in there being many ends of buildings, terraces and several detached buildings located on corners at these junctions.

48 Swindon Road is characteristic of this established pattern of development, it being a detached building located at the junction of Swindon Road and Normal Terrace. It is a former artisan house, likely Victorian, although possibly earlier. It is very simply detailed, as is characteristic of residential properties within this part of the Central Conservation Area. As a result of this simplicity the unsympathetic alterations that have been made to it and its curtilage have had a disproportionately detrimental impact on its visual appearance. Also detrimental to its visual appearance is the modern garage and parking area on Swindon, Tyre City garage, which directly abuts the site, its large scale, massing and position set back from the frontage of the site resulting in it having an incongruous appearance within the street scene, adversely affecting the setting of 48 Swindon Road. It is considered these detrimental features are what undermine the character and appearance of 48 Swindon Road and, with the exception of the garage, could easily be addressed to enhance the appearance of the building and allow it to make a greater contribution to this part of the central conservation area. It is considered despite these unsympathetic alterations the former artisan house still makes a limited positive contribution to the character of the conservation area and with some minor works could make more of a positive contribution. It is considered its proposed demolition should be resisted because of the harm it would cause to the character of the conservation area.

Given the above concern over the principle of demolition of the existing historic building on site the proposal considered to neither sustain nor enhance the affected heritage assets as required by paragraph 192 of the NPPF. It should be noted an attempt has been made to negotiate an amendment to the proposal at a pre-application stage to overcome this issue by retaining the existing building. However, this advice was not followed. It is therefore considered the proposed works would cause less than sustain harm to this part of the Central Conservation Area: Lower High Street 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."

It is useful to draw out what the public benefits of the proposal could be. The main public benefits are considered to be the re-use of brownfield land and the provision of seven apartments and two semi-detached dwellings within a sustainable location boosting housing supply in an area without an identified five year housing land supply. It will be important the planning officer carefully consider whether these issues outweigh the great weight that needs to be given to the conservation of heritage assets as a result of this unacceptable harm as required by Paragraph 193 of the NPPF. It is the opinion of the conservation officer that alternative, more sensitive scheme for the site that retains the existing building have not been properly explored and the benefit of a limited number of additional residential units that could be located elsewhere without a harmful impact, does not outweigh the great weight that needs to be given to the conservation of heritage assets.

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Approval of the loss of positive building within the conservation area is resulting in the slow erosion of its heritage significance and approval of such schemes should be exceptional. If this application is approved concern is raised this unwelcome approach will be further reinforced resulting in resisting such proposals in future becoming increasingly difficult. It will be necessary for the planning officer to carry out the exercise required by paragraph 196 of the NPPF separately.

Notwithstanding the concerns over the principle of demolition of the existing building, the general design of the proposed buildings is not objected to. The exception to this is the number of rooflights on the proposed semi-detached dwellings which are considered excessive and clutter the roofscape, detracting from the visual appearance of the building and as a result the wider conservation area where a proliferation of rooflights would normally be resisted. It is advised the rooflights be reduced in number to one on each property.

County Archaeology

22nd October 2018

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

I advise that the application site is archaeologically sensitive since it is located in Cheltenham's medieval settlement area. Therefore, ground works required for the construction of this scheme may have an adverse impact on significant archaeological remains relating to medieval settlement.

In accordance with the NPPF, paragraph 189, I recommend that in advance of the determination of this planning application the applicant should provide the results of an archaeological field evaluation which describes the significance of any archaeological remains present on this site and how these would be affected by the proposed development.

I look forward to advising you further when this information is made available.

County Archaeology

21st March 2019

This morning I received from Rubicon Heritage the report on the results of an archaeological field evaluation at 48 Swindon Road.

Three test-pits were excavated within the proposed development area, and in each case the investigation found evidence that the land had been previously quarried and backfilled during the 18th or 19th centuries.

Therefore, any medieval settlement remains which may once have been present at this location have been removed by the quarrying activity.

For that reason it is my view that the proposed development will have no adverse impacts on archaeological remains, and I recommend that no further archaeological investigation or recording need be undertaken in connection with this scheme.

Architects Panel

6th November 2018

Design Concept:

The panel had no objections to the principle of the development. It was felt that the existing building was not of sufficient quality to be considered a heritage asset. The development was seen as an opportunity for positive enhancement to this area of town.

The panel nevertheless had reservations over the detailed design of the scheme submitted which had referenced some of the less successful recently built schemes on Swindon Road. It was felt there was an opportunity to improve the design of what might otherwise be a mediocre scheme.

Design Detail:

The composition and proportions of building elements could be improved perhaps by reference to the more historic buildings in Swindon Road. The top floor projecting eaves profile is not attractive and could be more elegant. The stepping of the elevation on Swindon Road was questioned and felt it might be better to have a more prominent principal elevation on Swindon Road.

The west elevation blank wall is very dull. It is strange that windows are shown at lower floors and not on the top floor which would benefit more from westerly views. Remodelling this elevation might consider setting back the top floor as the east elevation or breaking up the blank walling in a creative and artistic way.

The proposed semi-detached dwellings to the rear of the site were considered acceptable in terms of scale, massing and overall design.

Recommendation:

Submit revised design proposals for the apartment block.

Gloucestershire Centre For Environmental Records

15th November 2018

Biodiversity report received.

Environmental Health

5th 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 Ebley Tyres and as such a noise assessment is required to ensure that façade elements of the building ensure adequate protection to future occupants.

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 Ebley Tyres adjacent.

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 L_{Amax,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

Number of letters sent	24
Total comments received	9
Number of objections	8
Number of supporting	0
General comment	1

5.1 A site notice was placed at the site, the proposal was advertised in the Gloucestershire Echo and 24 neighbouring properties were notified of the proposal.

5.2 Nine letters were received which raised concerns regarding the following issues:

- Parking and highway safety
- Light restriction
- Archaeology
- Bin storage and collection

6. OFFICER COMMENTS

6.1 Determining Issues

- i. Principle of Residential Development
- ii. Impact on the Character and Appearance of the Conservation Area
- iii. Parking and Highway Safety
- iv. Impact on Neighbouring Living Conditions
- v. Archaeology

Principle of Residential Development

6.2 The site is located within the Principal Urban Area (PUA) of Cheltenham where the principle of new residential development is supported by policies within the existing Local Plan and policy SD10 of the JCS. The site is within close proximity to a wide range of day-to-day services such as shops, schools, amenities and employment opportunities; there is also a bus stop nearby offering a regular bus service which would also provide would-be residents of the development with the opportunity to utilise public transport. The site is therefore also considered to be a sustainable location for residential development in the context of the NPPF.

6.3 Cheltenham Borough Council cannot currently demonstrate a five-year supply of housing land with the latest figure (August 2018) at 4.6 years. Even though the proposal for nine dwellings would not eliminate this shortfall, it would make a modest contribution towards alleviating it, which would be welcomed in a sustainable location such as this one.

6.4 NPPF paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Furthermore, NPPF paragraphs 117 and 118 state that planning decisions should promote the effective use of land in meeting the need for homes. It states planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained. This is considered to be directly applicable to Cheltenham which is a town with a tight urban boundary bordered by an Area of Outstanding Natural Beauty and a Green Belt.

- 6.5** For these reasons, the principle of redeveloping the site for new housing is considered to be acceptable. However, there are other site-specific constraints and characteristics that the proposal needs to be assessed against in order to determine conclusively whether the development is acceptable overall.

Impact on the Character and Appearance of the Conservation Area

Demolition at 48 Swindon Road

- 6.6** The proposal would involve the demolition of the existing building on site and its associated outbuildings to the rear which were formerly occupied by vehicle rental company Enterprise. The principal building was used as an office/reception for Enterprise but the site is now vacant as they have relocated to a nearby site on Tewkesbury Road. In place of these buildings a three-storey building containing 7 flats would be constructed in addition to a pair of semi-detached dwellings in line with those that comprise Normal Terrace, which are perpendicular to Swindon Road.
- 6.7** The site is located within Cheltenham's Central Conservation Area (Lower High Street Character Area) where the local planning authority is required to preserve or enhance its character and appearance pursuant to section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.8** The office/reception building at 48 Swindon Road dates from the 19th century along with Normal Terrace and the surrounding terraced streets. The building is identified as a 'positive building' within the Lower High Street Character Area Management Plan ("Management Plan"). Modern buildings such as the neighbouring vehicle garage adjoining the site to the west are identified as 'significant negative building space'.
- 6.9** The Management Plan does not explain why 48 Swindon Road is a positive building and it is not discussed specifically within the document; it can only be interpreted that its 19th century origins thereby make its contribution to the character of the area a positive one. It is most likely the building was a dwelling when originally built and it changed to a commercial use in the second half of the 20th century.
- 6.10** This use change has led to changes in its physical appearance including the addition of a single storey flat-roof side extension, a new rendered façade and other additions including new windows and signage. The original brick walls are only visible on the side elevations. The western side elevation has been painted white and is used as advertising space for the neighbouring vehicle garage. These changes have eroded the character of the building to a significant extent.
- 6.11** The Management Plan describes 'positive buildings' as: *"those buildings which make a positive contribution to the character and appearance of each character area. They often have a collective group value. Although a small number of buildings in the overall Central Conservation Area are in a poor condition, they may still be identified as positive if the building itself makes a positive contribution"*.
- 6.12** The building does not have any group value because it stands alone. Normal Terrace is a good example of positive buildings with group value. The building is considered to be one of the smaller number of positive buildings in a poor condition in a historical context, not due to deliberate neglect (NPPF paragraph 191), but rather due to its changing commercial functions over time. Consequently, it is considered the building neither detracts from nor complements the character and appearance of the Conservation Area, and its impact is therefore neutral.
- 6.13** NPPF paragraph 193 states that: *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (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.”

- 6.14** In relation to 48 Swindon Road, it has been identified that much of its original character has been lost and its contribution to the Conservation Area is more neutral. The building is not a locally listed building and nor is it on the national list of buildings of historic or architectural significance. The building itself is therefore not the designated heritage asset in relation to NPPF paragraph 193, rather it is the Conservation Area in which it is situated.
- 6.15** The Management Plan states the Lower High Street area is characterised by the pattern and layout of its streets with a predominance of compact artisan terraced housing mixed with modern terraced and semi-detached housing. The proposed development would not compromise the character of the area as just described, in fact, in relation to Normal Terrace a pair of modern semi-detached houses would add to the character of this particular street.
- 6.16** The remaining areas of the site to the rear and side of the principal building consist of a black-painted metal gate and other fencing topped with barbed wire and a pair of utilitarian vehicle garages. It is considered that these features detract from the character and appearance of the Conservation Area as they are seen in conjunction with, and have similar visual characteristics with, the adjacent car garages which the Management Plan deem to be ‘negative building space’.
- 6.17** The existing use of the site is also considered to be harmful to the Lower High Street Character Area. When it was used by Enterprise their rental vehicles would regularly occupy all of the hardstanding areas to the side and rear of the office/reception building, creating a cluttered appearance in the street scene.
- 6.18** Policy BE3 (Demolition in Conservation Areas) was not saved when the JCS was adopted in December 2017. JCS policy SD8 (Historic Environment) advocates the conservation of designated heritage assets but because the building is not listed it does not therefore, in itself, fall within the definition of a designated heritage asset given within the NPPF.
- 6.19** The Area Management Plan has grouped the principal building at this site along with the other buildings of 19th century origin in this area as ‘positive’, but an assessment of the principal building, its outbuildings and its curtilage as they stand today has found that their contribution to the character and appearance of the Conservation Area is more neutral with some harmful elements. Consequently, in this particular case, no objection is raised to the demolition of the buildings in order to facilitate a redevelopment of the site for a residential use.

Design of the Proposed Residential Buildings

- 6.20** The buildings that would replace the existing buildings at 48 Swindon Road would be a three-storey building containing 7 flats and a pair of semi-detached dwellings. The flats would replace the principal building fronting onto Swindon Road and the semi-detached dwellings would be built in place of the outbuildings to the rear of the site.
- 6.21** The flats would be designed with a principal three-storey structure, in place of the original part of the existing principal building, with a flanking recessed two-storey section adjacent to Normal Terrace with a subservient roof section which is recessed further still. The recessed nature of the principal elevation breaks up the mass of the building and helps to emphasise its relationship with Normal Terrace. The main entrance to the building would be accessed from Normal Terrace. The elevations facing Swindon Road and Normal Terrace would be enclosed by a rail fence to provide some separation from the public realm.

- 6.22** The flats would be larger in terms of their overall height and floor area compared to the existing building they would replace. However, the flats would be a similar height to the semi-detached pair 22-23 Normal Terrace situated 6 metres to the east. The flats would also be similar in height to the 'tyre city' garage immediately to the west although this building is set back much further from the road.
- 6.23** A new building of a larger scale on this corner plot would not appear out of context. Indeed, 19 St Paul's Street South is a three-storey building adjacent to 22-23 Normal Terrace (it is 3.5 metres higher than its neighbours), which also occupies a corner plot as it intersects with Swindon Road. Three-storey buildings also form the corners of St Paul's Street North on the opposite side of Swindon Road with the remainder of this street consisting of two-storey terraced dwellings, not unlike those found on Normal Terrace.
- 6.24** Although the modern style of the flats would differ from the stone-built 22-23 Normal Terrace and the main terrace of dwellings on this street to the rear, there is no strong architectural rhythm or sense of uniformity on Swindon Road and as a consequence the proposal would not be viewed as discordant within the Conservation Area.
- 6.25** The semi-detached dwellings would be located to the rear of the flats positioned in line with 1 Normal Terrace with a 2.8-metre space separating them. The semi-detached pair would be a metre higher than the rest of the terrace in order to accommodate a habitable loft space. It is acknowledged that this deviates from the uniformity of the existing terrace but as a new addition to the street which is physically separated this is considered not to be an issue in terms of their design. There would be a clear and legible hierarchy of the heights of buildings; the block of flats would be the highest fronting onto Swindon Road with the buildings then diminishing in height towards rear of the site.
- 6.26** The materials of the semi-detached dwellings have not been specified but a condition (number 3) would be in place to control these elements. The preference would be brick to integrate with the brick-built houses of Normal Terrace. It is considered that a pair of brick semi-detached houses on this part of the site would represent an enhancement to the Conservation Area as they would replace dilapidated outbuildings and visually obtrusive barbed wire fencing.

Summary

- 6.27** The Area Management Plan has grouped the building along with the other buildings of 19th century origin as 'positive', but an assessment of the principal building, its outbuildings and its curtilage as they stand today has found that their contribution to the character and appearance of the Conservation Area is more neutral with some harmful elements. Consequently, in this particular case, no objection is raised to the demolition of the building.
- 6.28** It is acknowledged that the existing principal building at 48 Swindon Road is deemed a positive building in the Character Area Management Plan due to its 19th century origins. However, when assessing the building's current state its contribution to the character and appearance of the Conservation Area is considered to be neutral and its associated outbuildings and enclosures are deemed to be harmful.
- 6.29** In light of this the demolition of the existing buildings is considered to be acceptable and the design of the proposed flats and semi-detached houses to be built in their place is complementary to their surroundings in the Lower High Street Character Area of Cheltenham's Central Conservation Area. The development is therefore seen as an enhancement of the character and appearance of the Conservation Area pursuant to section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, JCS policy SD8 and the guidance within the NPPF.

Parking and Highway Safety

- 6.30** The main issue residents of Normal Terrace are concerned with in relation to the proposed development is the impact it would have on vehicle parking. Normal Terrace was built in the Victorian era before the invention of the motor car, or at least before their widespread use; it is a narrow street less than 6 metres wide in many places. A minority of properties such as numbers 8 and 9 are set back from the street and benefit from an off-street parking area, but the majority of the properties are mid-terrace with no private parking facilities. Residents with cars are not guaranteed a space in front of their own property, and considering the narrow confines of the street, securing any parking space is not a guarantee on Normal Terrace, especially because residents of surrounding streets could potentially park there providing they have the correct permit.
- 6.31** The site is within a residents' permit parking area (zone 11) where residents can apply for a permit to park their car in Normal Terrace and the surrounding streets. From the site visit it was evident that some residents were able to park their car on Normal Terrace despite its narrow design and lack of convenient turning facilities. Refusing the development would not alleviate this situation and Cheltenham Borough Council does not have any adopted minimum parking standards because this prevents car-free developments which can be successful in historic locations that were built before the invention of the motor car and town centre locations such as this where residents are not totally reliant on car journeys to access day-to-day facilities and amenities.
- 6.32** Future occupants of the proposed dwellings would be aware of the parking facilities (or lack thereof) in Normal Terrace and this should not necessarily preclude further development in light of the situation described above. NPPF paragraph 109 states that proposals for new development should only be refused if the cumulative impacts on the highway network would be severe.
- 6.33** The proposal may generate more demand for residents' parking permits in zone 11 but this would be true of any new residential development in a location that is subject to on-street parking controls. Parking permits are provided subject to availability so the proposed residential development is considered not to be inherently harmful to highway safety in this regard and the cumulative impact of the development would not be severe in the case officer's view. The concerns raised with regard to the difficulties of parking on Normal Terrace are a reflection of the current situation which is not for this or any other development to resolve. It is recognised that occupiers of the proposed dwellings would have the benefit of being able to access local services and amenities from this site on foot, by bicycle or by bus, thus they would not be totally reliant on private car journeys.

Impact on Neighbouring Living Conditions

- 6.34** Concerns have been raised that the proposed development would have a negative impact on the living conditions of residents of Normal Terrace, with particular reference made to the new buildings causing light restriction.
- 6.35** The pair of semi-detached houses would be positioned in line with the existing terraced houses 2.8 metres beyond the side elevation of 1 Normal Terrace. This property has a window on the first floor of its side elevation although it is a secondary window to the primary windows located on its front and rear elevations. The other properties in the terrace do not benefit from the same type of window because these mid-terraced properties do not have exposed side elevations.
- 6.36** Although the proposed semi-detached houses would restrict light into the neighbour's first floor side window to a degree, given the secondary nature of the window and the other light sources available, it would not be considered an unacceptable amount of light restriction in this case.

- 6.37** Concerns have also been raised regarding the storage of bins. The semi-detached houses would benefit from an outdoor space to the side or rear that could be utilised for bin storage and the flats have a bin store proposed on the ground floor. The collection of bins from these properties would be the same as the existing collection on Normal Terrace. The proposed change of use from a car garage / vehicle storage facility to a residential use would represent an improvement in terms of residential amenity as noise and fumes from vehicles would be less of an issue if replaced with housing.
- 6.38** In all other respects, it is considered the development would not cause any other harm to living conditions in terms of overbearing or overlooking impacts. The proposal is considered retain the same living conditions currently enjoyed by residents at Normal Terrace which accords with the guidance in NPPF paragraph 127 f).
- 6.39** The proposed dwellings (the flats in particular) would be in close proximity to Swindon Road, which is one of the busiest roads in Cheltenham and therefore also one of the noisiest and most polluted. The Council's Environmental Health Officer has therefore requested by condition noise and air quality assessments to be submitted and agreed by the local planning authority prior to development starting.

Archaeology

- 6.40** The Archaeologist at Gloucestershire County Council initially recommended the application be refused on the grounds of insufficient archaeological information being submitted.
- 6.41** The applicant has since submitted the results of an archaeological investigation which has confirmed the site had been previously quarried and backfilled during the 18th or 19th centuries. Therefore, any medieval settlement remains which may once have been present at the site have been removed by the quarrying activity.
- 6.42** Consequently, the proposed development would have no adverse impacts on archaeological remains and the Archaeologist at Gloucestershire County Council no longer raises an objection to the proposal.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The principle of residential development is considered to be acceptable in this town centre location and the contribution it would make to the Council's five-year housing land supply shortfall is welcomed.
- 7.2** The demolition of the existing buildings on site and the proposed replacement residential buildings are considered to represent an enhancement of the character and appearance of Cheltenham's Central Conservation Area.
- 7.3** The proposal would not have an unacceptable impact on highway safety, residential amenity or archaeology.
- 7.4** For these reasons, the proposal is recommended for approval, 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 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:

- a) All windows and external doors (including details of materials, colour, finish, cill, head, reveal, opening mechanism and glazing systems)
- b) Boundary walls/fences and retaining wall structures (including details of materials and samples when requested)
- c) Flues, vents and any other external pipework
- d) Rainwater goods

Reason: To preserve or enhance the character or appearance of the conservation area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006), Section 12 of the National Planning Policy Framework, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017).

- 5 Prior to the commencement of development, a demolition and/or construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The demolition and/or construction plan shall include measures to control noise, dust, vibration and other nuisance during the demolition and/or construction phase. No demolition or construction shall be carried out unless in accordance with the approved details.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the use could have an unacceptable environmental impact on the area.

- 6 Prior to first occupation of the development hereby permitted, adequate refuse and recycling storage facilities shall be provided within the site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage facilities shall thereafter be retained available for such use at all times.

Reason: In the interests of sustainable waste management and recycling, having regard to saved policy W36 of the Gloucestershire Waste Local Plan (adopted 2004) and policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017).

- 7 Prior to the construction of foundations of any new buildings or infrastructure on site, details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works; and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure sustainable drainage of the development, having regard to Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 8 Unless shown on the approved plans, no satellite dishes or other aerials, metre boxes or external cabling shall be affixed to the external 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 Policies CP3 and CP 7 of the Cheltenham Borough Local Plan (adopted 2006), section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017).

- 9 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.

Reason: To safeguard the amenity of local residents in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 and the National Planning Policy Framework.

- 10 No development shall take place until an air quality assessment has been submitted to and approved 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 the occupation of the building hereby approved, and thereafter maintained for the lifetime of the development.

Reason: To safeguard the amenity of local residents in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 and the National Planning Policy Framework.

- 11 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 Ebley Tyres adjacent.

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.

Reason: To safeguard the amenity of local residents in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 and the National Planning Policy Framework.

APPLICATION NO: 18/02053/FUL		OFFICER: Mr Joe Seymour	
DATE REGISTERED: 12th October 2018		DATE OF EXPIRY : 7th December 2018	
WARD: St Pauls		PARISH:	
APPLICANT:	Scott McArdle		
LOCATION:	48 Swindon Road, Cheltenham		
PROPOSAL:	Demolition of existing buildings and redevelopment of site comprising 7 apartments and 2 semi-detached houses		

REPRESENTATIONS

Number of contributors	9
Number of objections	8
Number of representations	1
Number of supporting	0

1 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 18th October 2018

The creation of an additional 9 dwellings with access of two onto Normal Terrace will put significant pressure onto an already busy narrow street, where parking is already at a premium and turning access is difficult, with most vehicles having to reverse out of the road onto the busy Swindon Road. Further vehicles reversing off Normal Terrace onto Swindon Road increases the likelihood of accidents. Council must consider this when considering this application.

If each of these dwellings own two vehicles then that creates a requirement for 18 spaces, less the two created with the semi detached houses, but plus the 3 additional spaces required with the demolition of the current garages. That in total is 19 additional car spaces. Where will this be? Normal Terrace just can't cope with this additional volume.

In addition, 9 dwellings means 18 more wheelie bins. Where will these sit? If they are put onto Normal Terrace, then further chaos and disruption will ensue.

The plans include planting of shrubs along Normal Terrace. Who will maintain these, overgrown shrubs will further impact parking access along Normal Terrace and possible scratches and damage to vehicles.

The plans for the semi-detached houses are not in keeping with the local area as they are planned to be higher than the existing terraces. This will not only look odd but will impact light onto the already dark Normal Terrace. In addition, the semi-detached houses will restrict light into 1 Normal Terrace as it has a window facing northwards.

The demolition of the garages will necessitate the building of a wall to provide security to the rear of 1 Normal Terrace.

On the basis of lack of availability of car access, parking spaces, room for bins and impact on the light onto Normal Terrace I strongly object to this planning application.

7 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 4th November 2018

The residents of 7 Normal Terrace object to the proposed development of 9 additional dwellings at the entrance to Normal Terrace and on Swindon Road.

The introduction of 9 additional dwellings is going to have a significantly negative impact on the already overcrowded and inadequate parking on Normal Terrace and surrounding streets. The development design has not taken into consideration the local issues of parking, and has only considered the benefits of the development to meeting Government targets, and likely profits made. This is clear by the fact that the development removes 5 car parking spaces, replacing them with only 2 spaces for the new properties - leaving current residents without parking down the road. As it states in the Planning Statement (section 3.5) the garages accessed of Normal Terrace are also most likely also in sui generis use, for the parking and storage of private motor vehicles. These garages are in use by residents of Normal Terrace as there is already simply not enough on-street parking down Normal Terrace or adjacent roads - this development removes this vital space.

In addition, whilst 1 space has been made available for each of the new 3-bed properties, no parking has been made available for the flats. Although the flats are on Swindon Road rather than Normal Terrace, as Normal Terrace is the closest road for parking to the property it will inevitably introduce further issues to the already congested and inadequate parking situation down Normal Terrace and surrounding permitted roads. Properties whatever size, 1/2/3-bed, on average have 2 cars per household - meaning an additional 16 cars for on-road parking. By the development not having adequate parking to alleviate the additional cars on the roads it is not considering the sustainability of the wider environment and amenities to cope with the additional residents and vehicles to the area.

In addition it is clear in the Planning Statement, sections 5.17, 5.18 & 6.6, that a thorough impact assessment has not been carried out as the document states that (1) The impact on occupants of nearby buildings has also been considered, for example, the placement of windows ensures the privacy of neighbours, taking advantage of blank gables on adjacent properties; Therefore, the development as a whole avoids unacceptable harm to local amenity and that of neighbouring occupants, in accordance with SD14, (2) The development will have no harmful or negative impact on surrounding properties by way of, (for example), overlooking, and the buildings will be visually attractive and appropriately sited. Nowhere in the planning statement has the issue of parking been addressed it only makes reference to the issue of overlooking, which if anyone visited the site would know would not be an issue due to the location of the site compared to other properties on the street. These statements are clearly avoiding the real issues of this site.

The impact on parking should not only be considered from a space and environment point of view but also from the perspective of the health and wellbeing of residents. Residents down Normal Terrace already experience anxiety and worry about parking on a daily basis. This development is only going to increase the intensity of this and heighten the negative impact on their health and wellbeing on a daily basis. No development should be able to go ahead in the knowledge that it will directly impact people like this. Given that the wider environment is already over capacity supporting car parking, there are no solutions to resolve the impact that squeezed parking resource will have on health - this will not be a short term impact on the residents down Normal Terrace today but will be an on-going impact for future residents in years to come. What would the Council's solution be when faced with the issue of creating more car parking? Cars will always exist, the issue will not simply disappear.

This development will also devalue the desirability and value of properties on Normal Terrace as the addition of 9 properties will change the street from a quiet, unique haven in Cheltenham Town Centre to a busy avenue.

The Planning Statement describes the plot in detail for its negative look and therefore apparent negative impact on the conservation area - but what it doesn't say is that this plot sits at the front of a very tiny no-thru road with compact 2 storey 2-bed properties. The development proposal is not introducing properties in keeping with Normal Terrace or the surrounding street. Instead the proposals are for non-descript generic buildings to fill the plot to overcrowding capacity. The Planning Statement also neglects to say that the development will increase vehicles coming and going down the street and as there is no turning circle down the road which will cause increased traffic issues with turning around on the busy Swindon Road, notoriously difficult at weekends and rush-hour. This will create additional blockages and issues for local traffic on the ring road and for local residents.

If we are going to go to efforts to re-design our landscape and build new structures that are going to last a new lifetime then they should enhance the current environment and not exacerbate already prominent and impossible to rectify issues.

If any properties are going to be built on this site then they need to:

1. Not use Normal Terrace for access or be designed in a way that would cause the entrance to be regularly obstructed.
2. Be self-sufficient in terms of parking - providing at least 2 spaces per property and not take up any residents parking down Normal Terrace or adjacent streets.

This development should be rejected, and if redevelopment must be considered it should be redesigned to accommodate the requirements mentioned above, and should be designed with the consultation of local residents in order to ensure protection of the fragile environment of Normal Terrace.

And finally, there has been no effort to make residents aware of this proposal, no consultation, no letter through our door, no effort to work with residents to find a suitable solution - news of this development has only been obtained through small talk with neighbours. This in itself (no matter the design) is wholly unacceptable.

14 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 5th November 2018

As a resident of Normal Terrace for the last 3 years I can safely say this road has the worst parking have experienced, space wise (incredibly narrow street) and the fact that there aren't enough spaces to facilitate the number of households that currently exist.

The narrowness of the road means that every single car is damaged in some way, the only saving grace is the turning space in front of the garages.

There are currently not enough spaces to facilitate the existing residents. On this street there are elderly residents, those with children and also some with disabilities. All of us are regularly not able to park on our own road, leaving us to have to carry shopping, children etc. From streets that can often be as far away as Pittville Park. This is an awful situation for those who are more vulnerable than the rest.

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We are currently allowed to park in front of the garages which means those 2 spaces will disappear AND the removal of the two spaces opposite is adding insult to injury. Reducing the current spaces by 4 whilst adding additional households is a ludicrous and unfair decision.

I object to the building works wholeheartedly, however, if they do go ahead I would plead to the council to find a way to not allow the new households permits to Normal Terrace.

Please don't turn an already difficult road into a total mess.

13 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 5th November 2018

If this new development reduces ANY parking in Normal Terrace I strongly object.

This is because Normal Terrace is a very narrow street allowing barely enough parking for existing residents all of whom are paying for the privilege. Parking also works in a 'first come first serve' basis. Therefore spaces can be used by any resident at any part of the street.

Therefore ALL the residents should have been informed formally.

One solution would be for developers to arrange with Corpus Christi, owners of the huge car park at the rear of most of the Normal Terrace properties, to allow, again, residents parking to the rear of their properties.

We believe this used to be a legal right (or understood right) to park here in the past but Ebley placed a locked gate at the entrance. With a second locked gate half way down the car park last year.

I suggest the council should look at this car park as well as the new developers. In the past ambulances and fire would have used the rear entrances. Now they cannot. There is a serious safety issue here as such vehicles could not drive down the very narrow terrace itself.

If the new development removes any parking spaces, or nothing is done to assist parking at the rear, my objection will stand.

The time period for objections should also be increased as it is my belief only one resident was notified.

5 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 3rd November 2018

Cotswold Archeology may not be aware the street was known as Beckingsales Passage prior to it becoming Normal Terrace- the present name comes from the establishment of a Normal (rather than Church Board) college for the training of teachers in 1847. (Cf: The Training of Teachers; A History of the Church Colleges at Cheltenham; Charles More; Hambleden Press; 1992.

I am curious as to the building that seems to lie beneath the garage forecourts was that is mentioned in relation to Merrett's map of 1833: it appears to have been quite substantial. If development proceeds it might be interesting to have test pits dug to examine the nature of the

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structure. George Rowe does not seem to mention it in his Pictorial History but i suspect a Regency townhouse? This is the period that saw Katherine Monson's extraordinary burst of architecture isn't it? She developed the North Field and pushed across the Swindon Road. St Pauls is largely the legacy of the dispute between Frances Close and the Tractarians; the clash between the Aggs and the Berkeleys that combined sectarian and political interests in a way that led to much of the development of the town.

Normal Terrace houses as we know them is 1838 i believe: the Swindon road and St. Margarets are much older. Still 48 Swindon Road does appear to be a survivor of slum clearances that changed the whole character of the area, but lacking any real character.

Still as a resident of Normal Terrace, access, light and above all parking - and my house doesn't have any car owners but the endless disputes still impact on me - are grounds to object. History isn't but i make these comments to clarify the lack of context in the report.

Comments: 3rd November 2018

I am trying hard to not object to this application but i just found another stipulation; at the time of writing, a friday night, there are 27 cars belonging to residents in Normal Terrace. The road is not wide enough to turn or pass, nor are there turning spaces.

As such vehicles have to reverse out of our road: and with the volume of traffic that is extremely difficult, and given the layout dangerous (the rear of the vehicle must enter Swindon Road before the driver can see if it is clear and safe to proceed). It is also worth noting that pedestrians on Swindon Road are likewise invisible and low speed impacts occur quite often.

This is currently mitigated by using the triple garage forecourt as a turning space, allowing vehicles leaving the Normal Terrace cul,-de -sac to turn and avoid the nightmare of reversing out.

One can hardly expect the developer to provide this service and once the development is completed it will not be possible, but to prevent collisions and avoid fatalities the council will need to add a new set of traffic lights to allow traffic to enter Swindon Road. Such a commitment again is something i think needs to be granted.

Comments: 3rd November 2018

At the risk of annoying my neighbours I am neutral to the development assuming it is in keeping with heritage and conservation plans.

However I will object and strongly if parking permits are to be made available for these properties. At the moment parking is an endless issue for residents of Normal Terrace, a road so narrow I can not receive parcels from courier services as my address is blacklisted; the same applies to online shopping deliveries. There are currently more cars than spaces: it has led to neighbour disputes and violence in the past. The demolition of the three garages and loss of their forecourt parking will push this in to meltdown, and while some offroad parking may be available for the new residents the existing residents can not park as is. I propose a simple agreement is made and legally stated that no MiPermit or sucessor to that contract parking permits are made available to these properties for say fifty years.

If that agreement can not be made I will shift to Object: otherwise I have no strong feelings though I still have to thoroughly review the application.

The other grounds for an objection on my part is if any part of the application further restricts vehicular access to Normal Terrace at any time. Construction must not impede access or require road closures; that would be a firm grounds for an objection.

I have no reason to believe 48 Swindon Road to be of any intrinsic heritage value, though i am not familiar with the interior. I have much sympathy for housing development, especially affordable housing. Given the current disastrous air quality in Swindon Road/Lower High Street i

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would ask for the asbestos roofing on outbuildings to be removed carefully, and the aforementioned restrictions on the issue of parking permits.

I would be very happy to discuss the proposals, and am aware that the residents of my street strongly object.

6 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 4th November 2018

To begin with only 1 Normal Terrace has received a letter regarding this planning application, but the whole street will be affected by this so why have we not all received one? A notice on a lamp post is not enough.

I've been told that if this building work goes ahead the end of the road will need to be closed, which will block access to our houses except through the tunnel at the far end of the street. This would mean we would either have to move our vehicles elsewhere or that they would be trapped in the street for a probably extended period of time. This is unacceptable for the whole street.

The developer has apparently claimed that the people who move in to the new properties won't be allowed to have cars, but how will this be enforced even if it is possible to put this restriction in place? Surely just by living in the area they will be entitled to apply for parking permits? Parking on Normal Terrace is already extremely limited and the loss of the garages will already add two additional cars to street parking, plus any cars accompanying people who move into the new properties. Turning space is limited, and will be even more limited with the loss of the garages, and cars and vans in particular usually have to reverse out of the street. Vans regularly cause damage to cars and buildings doing this, my wing mirror has been hit repeatedly. People's doorsteps, basement windows, corners of houses, fences have all been damaged numerous times.

The lack of turning space will mean that increasing numbers of people will need to reverse out of Normal Terrace. Swindon Road is becoming increasingly busy and this means this can be very dangerous to do. Pedestrians also often do not realise that cars may be emerging from Normal Terrace. Driving out of the road you can see them but when reversing you are unable to see pedestrians until your car is already on the pavement.

An increased number of properties will require further bins and these will need to be stored somewhere, the only option is in the street and this will reduce parking further.

The new buildings will be taller than the terrace and so will not be in keeping with the rest of the street and will cause a reduction in light, especially to No 1 who has a window looking out on to the spaces in front of the existing garages. The two houses will each have a driveway but Normal Terrace is narrow and these will effectively be pointless as it will be almost impossible to get on and off of these drives with cars parked opposite them.

I strongly oppose the proposed development.

3 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 13th November 2018

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I would like to object to the proposed new dwellings on the end of Normal Terrace. I have strong concerns about the addition of more houses and the planned narrowing of Normal Terrace where it joins Swindon Road. This will further restrict access to residents on the road, deny access by garbage collection trucks, and block access to ambulance or fire vehicles in the event of an emergency. The road is already only one lane wide, requiring residents to reverse on or off Swindon Road. The prospect of further restriction makes me very uneasy.

I agree with my neighbors on the subject of parking. Parking on the Terrace is already at a premium, and the reduction of at least two spaces would by itself significantly detriment existing residents. The addition of 9 additional households will only add to the parking strain on the Terrace and the local St Pauls area which we are often forced to park in.

I'm also very concerned by the lack of communication residents have received from the council. I would have been completely unaware of these plans if my neighbors had not informed me, and reading the other comments many of us have been kept uninformed. Presuming that building work at the end of the road would close Normal Terrace to vehicle access for some time, I feel like significantly more effort should have been taken to inform those of us who would be impacted.

2 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 28th October 2018

There is limited access to the Terrace already The parking around this area even though we pay an extra £50 in residential parking is very limited I cannot park outside my own house very often Potentially an extra 9 cars to try and park would not be great The Swindon Road is one of the busiest in the town and it will be very difficult to access our homes with building/ demolition in progress The noise will be terrible in a built up residential area I strongly object to the bottom of our small terrace with only one way in and out becoming a building site

19 Normal Terrace
Cheltenham
Gloucestershire
GL50 4AR

Comments: 5th November 2018

There is no way any cars will be able to go up and down this road if you narrow the top of the road further. The road is narrow enough as it is. Absolutely a ridiculous idea. As a young driver I am very anxious of driving up and down the road anyway, this would therefore cause me and most likely other residents as well un-needed stress we do not need!.

I currently drive up and down the road between the hours of 5am leaving to go to work and returning home to the road at 8am. And then leaving again at 4pm - 7pm. So there is no way the top of the road can be closed without putting myself and other residents out of work! None of us residents can afford to be put in this position.

I am one of the residents who also has a driveway so therefore if this goes ahead are you refusing me as well as many other residents access to and from our own driveways? If this goes ahead then I will be truly appalled and disgusted with the council as I am sure the rest of the cheltenham community would be also.

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Another note to add is me and my partner have not received a warning notice that this was going to happen, in fact it took the good will of our neighbours to inform us! which I think is very lazy on the council's behalf.

If us residents with cars are unable to access the road due to it being narrowed or closed then there will be an uproar.

Reasons for Objection to Proposed Development
at 48 Swindon Road (Affecting Normal Terrace)

Issues created by the Development

1. **Increase in hazardous highway access** due to:
 - Reduction in line of site due to block of flats and railings/bushes around perimeter of flats blocking view.
 - Loss of turning circle in front of garages resulting in more cars having to reverse exit the road (combined with line of site issue).
 - Loss of sight and reversing exit will increase hazards to pedestrians
 - Reduction in car parking (and potential increase in number of cars vying for car parking) resulting in more cars needing to back out of road when space not available.

2. **Significant reduction in car parking spaces available (loss of 5)** and increase in potential number of properties with vehicles vying for car parking on Normal Terrace (potential +18 vehicles if each property has 2 permits) and rest of Z11 parking zone area. *Normal Terrace already beyond capacity.
 - In 2003 the Council allowed for 2 car parking spaces to be lost to developers.
 - Residents parking permit prices increased this month – now being charged for even less available space.

3. If properties are allowed vehicles then **more vehicles** using Swindon Road which is already congested throughout the day – **increasing pollution** as more cars are sat idle.

4. Removal of x2 drive-way car parking spaces – but allow properties to have permitted parking – decision at odds with each other? What is the Councils objective here?

5. Refuse and recycling. Plans for household waste storage within plans not clear; and **no accommodations made within plans to support recycling waste bins**. *Normal Terrace already beyond capacity.
 - Already 9 x 22" width large recycling bins that are overfilled weekly – not viable for 9 new properties to use existing bins.
 - Recycling bins alone take up 1.5 car parking spaces
 - More bins on road take up more car parking.

6. Proposed buildings **not in keeping with characterful cottage design** of the majority of properties on the street. Property design has been evaluated against other developments along Swindon Road – even though 75% of development will be on Normal Terrace and 100% of properties will be accessed via Normal Terrace.

7. Properties 22 & 23 will be in direct line of site to semi-detached properties which will now overlook them and overshadow their gardens.


Issues that will be created during Development

1. Expecting the development will close or partial close Normal Terrace during the day, this will create: **
 - **Parking issues during development**
 - **Access issues** to properties during development – particularly a problem for residents who come and go from the road throughout the day due to running their own businesses and disabled residents who are unable to walk far.
 - **Refuse collection will be impacted**
 - ** Issues already experienced when a digger was trying to access the road for the trial dig.

2. **Noise and vibration issues** during the dig and construction.
 - Significant vibrations felt during the test pit digs **causing issues for disabled residents** who are in their properties throughout the day.
 - Noise and vibrations cause distress and issues for resident close to the end of the road who has animals.
 - Noise will affect residents who regularly work from home – unable to conduct meetings or phone calls due to noise, even if intermittent.

3. **Dust and mess created by development**

4. **Parking issues created by:**
 - Construction vehicles needing access to plot
 - Skips etc required for development
 - Potential limited access to road throughout the day – stress on surrounding neighbourhoods.

Put forward on behalf of Residents of Normal Terrace by 

**Beautiful characterful terraced cottages down Normal Terrace:
(Highlighted area indicates where new building will be)**

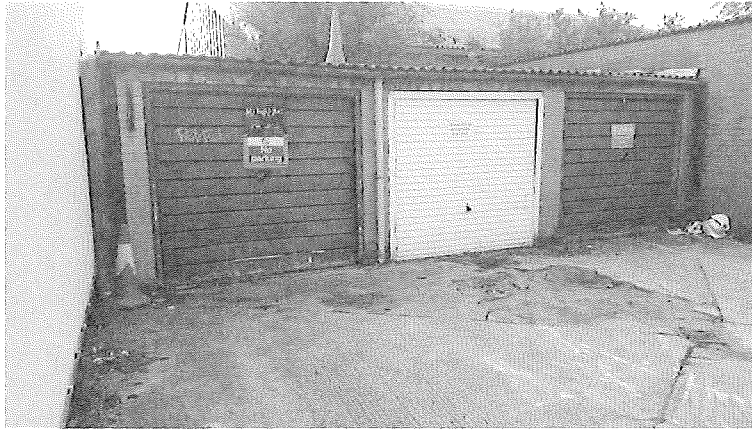


Refuse issues: (some not all of the bins!)



Parking & turning circle in front of garages will be removed – cars will have to back out of street:

Important resource for the road. Broken concrete floor from where evidence pits were dug.



Area where part of the block of flats will cover (majority not all of this space) – where visibility will be reduced.



Car Parking and space down Normal Terrace



Any other issues you wish to share about parking or other

As with nearby streets in St Pauls ward, we now pay yearly Residents Parking Fee. 'Free to use' parking, for residents, does not exist.

As a resident I have attempted to park in Normal Terrace for the last 15 years*. The Terrace is a very narrow street with no pavement and housing straight onto the road on the Southern side and just enough space for cars on the other side. Many potential spaces are lost due to excess of Wheelie Bins; others due to badly kept fencing. Plus, car use seems to have increased.

I fail to see any connection, however laudable to have in mind, to environmental issues. People need their cars to get to work and commute. The proximity of the Town Centre has no bearing whatsoever. The argument for public transport should have no more sway than it would for all car users. Indeed, occupiers of terraced properties should attract more support.

In my opinion, Normal Terrace is a special case and highlights the difficulty to park near one's home, unless it is felt that people who live in small terraced properties have less right to park near their home than anyone else? If so, this would be prejudicial to terraced house occupiers and very wrong.

Like anyone, we deserve to be able to park where we actually live – especially when paying extra for the privilege. It is a constant stress to all in the terrace to wonder if we will be able to park at the end of the day*.

With this background in mind, it would be outrageous, due to new development, to have any of the precious spaces *actually taken away!* Obviously, the land made available by the move of Enterprise, will attract development but any use of Normal Terrace or further land, *other than using the 'footprint' of the old Enterprise site,* would be unjust, unfair and worthy of a campaign by the PRESS or SOCIAL MEDIA. Therefore, the Panning Committee should specify to developers to amend any plans that might attempt to use *any land not within its footprint.*

ALSO, MY SPECIFIC CASE will be of concern. I am a Blue Badge Disabled badge owner. I am in my late 60's but not retired and run a business in Montpellier. I often arrive home late and frequently find no space in which to park. This is very annoying and quite painful, with arthritis and angina, to have to walk a long distance just to get close to my front door. Plus, the extra parking tickets. I have applied for a Disabled Bay but the above holds good for *all my neighbours* and it would be very wrong indeed to have any of our precious parking spaces removed. Indeed, the council should look at the terrace, as it is the council's responsibility to maintain the terrace, to a satisfactory condition increasing parking by insisting on one car per household, moving the bins and improving the border fencing.

██████████ Normal Terrace, GL50 4AR. Tel: ██████████

Parking was adversely affected, about 3 years ago, when the Council (or UBICO, the Council in all but name) Took away our individual recycling boxes, which were put out on the night, with 10 Recycling Wheelie Bins. At about 22" width each, these occupy about 1.5 car parking spaces.

The Council had previously narrowed the Terrace, in about 2003, when it allowed the developers of Murray House to build the back wall. This reduced the width of the street by more than a foot and, as a result, we lost about 2 parking spaces from the High Street end.

The Council played its part introducing, and doubtless benefiting from, the Residents Parking Permit, which has increased well above inflation, from this month..... as did Council Tax. The irony of being charged more for less should not be lost on the Committee members.

What Planning Gain has the Council enjoyed, to put the interests of a property developer, who will enjoy a one off gain, ahead of more than 50 permanent residents who will be inconvenienced by the development for ever.

Where did the Committee members live and how did they arrive at this meeting? If from the town, obviously they will have led by example and walked in.

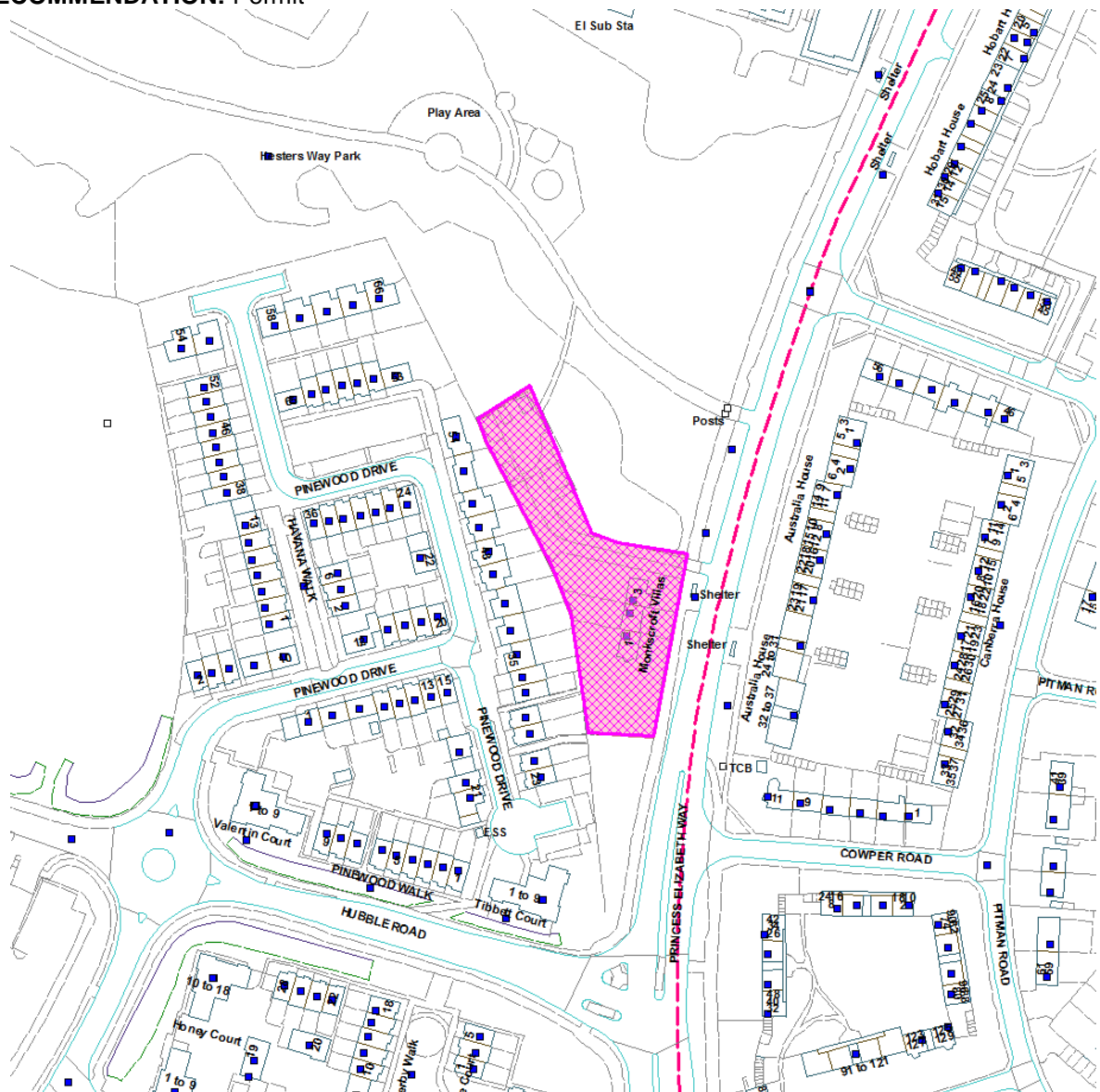
Enterprise Cart Rentals made a bad neighbour and never trained their clients not to park across the end of the road. This new situation will make that inconvenience pale into insignificance.

The Councils on street parking policy is obviously failing. Look at the vacant spaces in Christchurch Road, Parabola Road and areas where shop and office workers parked, from early, to attend their jobs. So they cannot afford/don't have the spaces and the Council do not have the parking revenue that they expected to tax local workers for.

See attached Government document from 2011.

APPLICATION NO: 19/00431/FUL	OFFICER: Mr Joe Seymour
DATE REGISTERED: 6th March 2019	DATE OF EXPIRY: 5th June 2019
DATE VALIDATED: 6th March 2019	DATE OF SITE VISIT: 8th April 2019
WARD: Hesters Way	PARISH:
APPLICANT:	Cheltenham Borough Homes
AGENT:	Kendall Kingscott Ltd
LOCATION:	Monkscroft Villas Princess Elizabeth Way Cheltenham
PROPOSAL:	Demolition of existing building and redevelopment of site to provide 27 dwellings. Including a part four three and two storey block of flats comprising 25 apartments (20 one bed & 5 two bed units). Along with 2 two bed semi-detached houses with ancillary car parking, cycle/bin stores and associated landscaping. Alterations to existing pedestrian and vehicle access.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site is located off the A4013 Princess Elizabeth Way towards the western edge of Cheltenham. The site (approximately 0.32Ha) is currently occupied by a residential two storey red brick terrace of three empty houses which front on to Princess Elizabeth Way with garden areas to the rear. The northern part of the site includes some derelict outbuildings, part of an old council depot site. The southern part of the site is occupied by mature trees and shrubs.
- 1.2 Immediately adjoining the site to the west is Pinewood Drive, a residential area comprising of two and three storey properties. To the south is green space with trees with the land to the north being part of Hesters Way Park area. Opposite the site to the east are the four storey flats which face towards Prince Elizabeth Way.
- 1.3 The application proposes the demolition of the existing buildings on the site, the construction of a two - four storey block of apartments comprising 18 one bed apartments and 9 two bed apartments which would front Princess Elizabeth Way, to the south of the site. To the north part of the site the erection of 2no. two bed semi-detached houses with ancillary car parking is proposed. The block of flats is detailed to have at first floor buff brick with the upper floors being white render and the top floor dark grey cladding. The semi-detached properties are in the main white render with two dark grey bay features.
- 1.4 The applicant, Cheltenham Borough Homes, sets out that a minimum of 60% of the units will be provided as affordable dwellings.
- 1.5 The application is at Planning Committee as the Council, through Cheltenham Borough Homes, own the land.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m
Residents Associations
Smoke Control Order

Relevant Planning History:

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 13 Protecting Green Belt land
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment

Saved Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing

Supplementary Planning Guidance/Documents

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

4. CONSULTATIONS

Environmental Health

26th March 2019 - Reviewed submitted documents, including Design and Access Statement and Environmental Noise Assessment, no comments or objections.

I would recommend approval subject to the following conditions being attached to any approved permission:

Condition 1

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
- Control measures for noise in regards to both demolition and construction
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To prevent a loss of amenity affecting surrounding occupiers due to noise and nuisance from construction works.

Condition 2

Where communal space is provided it must be acceptable with regards to design, neighbour amenity, noise levels, accessibility, management and control.

The proposed roof terrace has the potential to cause harm to the existing amenities of neighbouring occupiers, as well as the residents of the proposed dwelling, by reason of noise and disturbance. As there will be no way of effectively controlling the use of the proposed roof terrace, including the hours of use or the type of use, I would recommend the following condition.

Restriction of Use of Roof

The roof area shall not be used as a roof terrace, balcony, roof garden or similar amenity area.

Reason: To safeguard the amenities of the adjoining premises.

GCC Highways Planning Liaison Officer

9th May 2019 - I refer to the above planning application in regards to the submission of revised plans received on the 8th May 2019 with drawing numbers - 3077.03B, 3077.T08, 3077.T07.

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

1. Throughout the construction and demolition 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.

2. The Vehicular Access Arrangement/Bus Stop Relocation including tactile crossing facilities and lining works shall be constructed in accordance with the submitted plan ref: 3077.03B, before any of the dwellings hereby permitted are first occupied, unless otherwise agreed in writing by the local planning authority (LPA).

Reason:- To ensure that the appropriate opportunities to promote sustainable transport modes and is designed to give priority first to pedestrian and cycle movements and provide access to high quality public transport and facilities that encourage public transport use in accordance with paragraph 110 of the National Planning Policy Framework.

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

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraphs 108 and 110 the National Planning Policy Framework.

4. 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

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 condition 4 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.

5. 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.

6. 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 54m distant in both directions (the Y points).

The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To 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.

7. 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. 3077.T07, 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.

8. The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 3077.T07, 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.

NOTE:

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

Statement of Due Regard

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

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

Tree Officer

29th April 2019 - The Trees Section does not object to this application.

Land Drainage Officer

29th March 2019 - No objections in principle to this proposed development. The following comments and observations are made:

- Infiltration Systems The drainage strategy and flood risk assessment states that the use of soakaways (infiltration systems) has been deemed unsuitable due to the expected high clay content of the ground as shown on the BGS online map which

indicates Charmouth Mudstone bedrock and overlying clay strata. Infiltration systems at this location cannot be ruled out before infiltration testing in accordance with BRE 365 has been carried out. Approval of a SuDS design without the necessary supportive evidence will not be granted. Infiltration systems among other SuDS components are an essential element in the control of discharge volumes.

- **Peak Flow Control** The proposed maximum surface water discharge rate from the site has been stated as being limited to 6 l/s; almost equal to the existing 1 in 100 year discharge rate from the site in its current form (6.1 l/s). This is a previously developed site and therefore in accordance with Defra's non-statutory technical standards for sustainable drainage systems, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. A detailed SuDS design shall demonstrate consideration of this recommendation. For information; the LLFA does not recommend that restricted discharge rates cannot be lower than 5 l/s (a rate of discharge that some consider to be a hydro-brake minimum to avoid blockage) and they recommend that developers be required to limit discharge in accordance with the non-statutory technical standards.
- **Volume Control** Where reasonably practicable, for developments which have been previously developed (such as this), the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but should never exceed the runoff volume from the development site prior to redevelopment for that event. Where it is not reasonably practicable to constrain the volume of runoff to any drain, sewer or surface water body in accordance with the above, the runoff volume must be discharged at a rate that does not adversely affect flood risk. The submitted detailed SuDS design must consider this requirement and confirm the proposed methods of compliance.
- **Climate Change** An allowance of +40% shall be allowed for in the determination of the required storage volumes.

Joint Waste Team

11th March 2019 - Comments available to view in documents tab

Gloucestershire Centre For Environmental Records

19th March 2019 - Report in documents tab

GCC Local Flood Authority (LLFA)

10th May 2019 - I refer to new information sent by the drainage engineer on 8th May 2019 in response to the Lead Local Flood Authority's (LLFA) comments and objection to the proposal on 4th April 2019.

The following comments refer to the new information submitted in the "Drainage Strategy and Flood Risk Assessment" (Date: 08th May 2019 and Ref: 11510w0004b) and "Drainage Layout" (No: 11510Sk0003, Rev:B).

The applicant has reduced the maximum discharge rate from the site to 3.4 l/s, which is equal to the greenfield runoff rate. The use of permeable paving has been extended to

ensure that water quality has been fully considered. A value of 40% has been added to the 1 in 100 year return period simulation in MicroDrainage to account for future climate change. This shows that there is a minor amount of flooding from manhole Sw.07, which is in the highway and shouldn't cause buildings to flood. Finally, the applicant has submitted exceedance flow paths, which show that surface water will be directed away from buildings in events greater than 1 in 100 year.

The Drainage Strategy and Flood Risk Assessment states that the maintenance of all the drainage will be managed by Cheltenham Borough Homes via a management company and will be carried according to the schedule provided.

LLFA Recommendation

Based on the above changes to the drainage strategy and the extra information provided, the LLFA would like remove it's objection and recommend no objection to the proposal. The LLFA also believes that there is sufficient information supplied at this stage so that no condition for detailed design or maintenance is required.

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.

4th April 2019 - I refer to the notice received by the Lead Local Flood Authority (LLFA) requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management since April 2015, and has made the following observations and recommendation.

Surface water flood risk

In the Drainage Strategy and Flood Risk Assessment (FRA) (Craddys Document Reference: 11510w0004a), the flood risk to the site has been identified as low, which is consistent with the Environment Agency's Risk of Flooding from Surface Water map.

Surface water management

Discharge strategy

The discharge hierarchy has been used. Infiltration is not likely to be effective as the geology is Charmouth Mudstone and there are no watercourses in the vicinity of the site. The applicant is therefore proposing to discharge into the existing public surface water sewer in Princess Elizabeth Way, where the site currently drains to.

Discharge rates

The chosen discharge rate exceeds greenfield runoff rates and does not provide any betterment over the existing rate. The proposal is to limit the discharge to 6 l/s, the equivalent rate of a 1 in 100 year rainfall event on the existing roof area.

For brownfield sites, the discharge rate should be as close as reasonably practicable to the greenfield rate or have a betterment of at least 40% applied. Considering the high level of green space on site and the level of works being carried out, the LLFA would prefer to see the proposed discharge rate closer to the greenfield runoff rate. The applicant must demonstrate that they have considered discharging the site at greenfield runoff rates and if they deem this impractical, justify why.

Drainage strategy and indicative plan

The proposed drainage strategy is to use underground storage to control surface water runoff combined with areas of permeable paving on the parking bays. While the use of

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permeable paving is welcome for its benefits to water quality, limiting its extent to the parking bays means the surface water from the rest of the highway is not receiving these benefits. The use of gulley pots will remove some sediment but there is still the potential for sediment and hydrocarbons to leave the site as well as block the underground storage tank. It is advised that this is considered and addressed.

Climate change

Although the applicant has not provided it at this stage, they have recognised the need to use 40% for climate change when sizing their storage. This meets current Environment Agency guidance for this type of development.

Exceedance flow paths

The applicant has not provided plan for exceedance flow paths (they state it is in Appendix D which is actually a fluvial flood map).

LLFA Recommendation

The LLFA recommends an objection to the proposal because the discharge rate does not meet greenfield runoff rates or achieve any level of betterment over the existing rate.

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.

Cheltenham Civic Society

22nd March 2019 - The Planning Forum took up the opportunity to receive a presentation from a representative of CBH. We realise in hindsight that this was an information rather than a consultation event. Perhaps in future, consultation should take place at an earlier stage before plans have been finalised.

The Forum are disappointed that none of our discussion and comments at the presentation have been taken into account in the submitted plan. Suggestions included the opportunity to introduce a living roof, increased solar generation, and a more imaginative use of the roof space for residents' amenity.

The elevation is dull and repetitive.

Architects Panel

4th April 2019 - Design Concept

The panel had no objection to the principle of replacing the existing building with a new residential development on this site. The proposed building is substantially bigger but the panel felt the site could easily accommodate a larger building in this location without detrimental impact to neighbouring properties.

Design Detail

The panel generally liked the design approach and the way the building was broken down into blocks, providing elevations of interest and of good proportions. The roof-top amenity

garden was seen as an attractive feature and the introduction of discreet solar panels was to be encouraged.

The palette of materials is typical of Cheltenham architecture but the panel questioned whether the use of some brickwork, perhaps at plinth level, might enhance the design and relate the building more too adjacent brick buildings

Recommendation
Support

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	70
Total comments received	4
Number of objections	3
Number of supporting	0
General comment	1

5.1 A site notice was displayed at the site as well as being advertised in the Gloucestershire Echo and 70 letters have been sent to neighbouring properties.

5.2 4 letters have been received which raised concerns regarding the following issues. The comments are attached to the Agenda.

- The size and scale would have an overbearing impact and loss of privacy.
- Loss of light
- Light pollution
- Insufficient car parking being provided and highway safety
- Poor design

6. OFFICER COMMENTS

6.1 Determining Issues

- i. Principle of Residential Development
- ii. Design Considerations
- iii. Impact on Neighbouring Living Conditions
- iv. Highway Safety
- v. Drainage
- vi. Other Matters

Principle of Residential Development

6.2 The site is located within the Principal Urban Area (PUA) of Cheltenham where the principle of new residential development is supported by policies within the existing Local Plan and policy SD10 of the JCS. The site is within close proximity to a wide range of day-to-day services such as shops, schools, amenities and employment opportunities; there is

also a bus stop directly to the front of the site offering a regular bus service which would also provide would-be residents of the development with the opportunity to utilise public transport. The site is therefore also considered to be a sustainable location for residential development in the context of the NPPF.

- 6.3** Cheltenham Borough Council cannot currently demonstrate a five-year supply of housing land with the latest figure (August 2018) at 4.6 years. The proposal would provide for twenty seven dwellings which would not eliminate this shortfall; it would make a modest contribution towards alleviating it, which would be welcomed in a sustainable location such as this one.
- 6.4** The NPPF at paragraph 11 sets out that planning decisions should apply a presumption in favour of sustainable development. This is explained in section 'd' of paragraph 11 stating that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date (footnote 7 of paragraph 11 sets out that this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing) granting permission unless, for this application, any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole. This is referred to as the 'tilted balance' and the government's approach to ensuring delivery of housing nationally.
- 6.5** NPPF paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Furthermore, NPPF paragraphs 117 and 118 state that planning decisions should promote the effective use of land in meeting the need for homes. It states planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained. This is considered to be directly applicable to Cheltenham which is a town with a tight urban boundary bordered by an Area of Outstanding Natural Beauty and a Green Belt.
- 6.6** For these reasons, the principle of redeveloping the site for new housing is considered to be acceptable. However, there are other site-specific constraints and characteristics that the proposal needs to be assessed against in order carry out the planning balance and therefore to determine conclusively whether the development is acceptable overall.

Design Considerations

- 6.7** The NPPF states that it is important to plan positively for the achievement of quality and inclusive design for developments, including individual buildings, public and private spaces. Section 12 of the NPPF makes it clear that the government attaches importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Design requirements are incorporated in Policy CP7 of the Local Plan and JCS policy SD4.
- 6.8** The scheme has been revised along with the number of units proposed being reduced from 29 to 27 during the consideration of the application. The revision related to the block of apartments. Both the north and south elevations have been amended, the building being pushed approximately 1 metre further away from the rear boundary of the site with the amount of 2rd floor accommodation being reduced and set back from the rear elevation of the proposed building a further 5.8 metres which is 10 metres from the rear boundary. The fenestration in this part of the building has also been amended with the windows above ground floor level detailed to be obscure glazed with the removal of a balcony area. These changes were made in consultation with the planning office, to respond to initial concerns regarding potential dominance effects over neighbouring residential properties to the rear of the site.

- 6.9** The design approach is modern and does not take its lead from surrounding buildings. The proposed semi-detached dwellings towards the north of the site are detailed to be white render with grey cladding bay features; the roof is mono pitched which reflects the roof form of the residential properties to the rear of the site in Pinewood Drive.
- 6.10** The apartment block will front on to Prince Elizabeth Way facing towards the existing four storey flats on the opposite side of the road. The massing of the block is two and three storeys at the southern end of the site where it is closest to the neighbouring properties on Pinewood Drive. The building rises to four storeys towards the northern end of the site with the overall height of the building to be similar to the ridge height of the existing houses on Pinewood Drive. The overall mass of the building is broken down by dividing the block into two parts by recessing the central stair and lift core. The façade treatment for this element will be zinc clad with glazing which will also offer the main and secondary entrances to the building. The fourth storey is to be stepped back and also clad in zinc which helps to reduce the overall mass of the building. A small, part enclosed roof terrace area is also included on the front roof section of the building. Projecting bay windows on the upper levels introduce architectural interest to the elevations which further help to break up the mass of the building. The remaining façade is to be a buff brick on the ground floor with the upper floors being white rendered.
- 6.11** The area between the main building and the semi-detached dwellings is proposed for car parking, with cycle and refuse storage for the apartments being located to the rear of the building.
- 6.12** A number of the mature on-site trees are to be retained with new soft planting also being proposed. In considering the proposal and the submitted information, the Tree Officer provides no objection to the application.
- 6.13** The scale of the proposed development is significantly larger than the existing building/s on the site, however it is considered that given the design of the scheme it will make much better use of the site in terms of the dwellings per hectare as the site is currently under-utilised. The overall design approach is considered to be good and officers are of the view that the proposal will provide a positive contribution to the locality and is compliant with the objectives of the NPPF, policy SD4 of JCS and Local Plan policy CP7 all of which relate to design. It is noted that the Civic Society consider the scheme to be dull, however also noted is that the Architect Panel are supportive of the application.

Impact on Neighbouring Living Conditions

- 6.14** 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. In addition, one of the core planning principles set out within paragraph 17 of the NPPF is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.
- 6.15** The application has been revised on two occasion following concerns being raised on the relationship of the proposed apartment block at the boundary towards the south west boundary of the site that is nearest the residential properties of Pinewood Drive.
- 6.16** The final revisions to the scheme have pushed the building approximately 1 metre further away from the rear boundary of the site with the amount of 2nd floor accommodation being reduced and set back from the rear elevation of the proposed building a further 5.8 metres, which is 10 metres from the rear boundary of the site. This provides a distance of 13 metres from the rear elevation of the proposed two storey element and the rear elevation of the closest three storey property on Pinewood Drive. A distance of 19.5 metres will be provided between the rear elevations of the proposal at three storey level and the closest existing residential property.

- 6.17** Typically policy seeks to achieve a rear to rear elevation, in which clear glass windows are proposed, a distance of 21 metres with the proposed development to be set at 10.5 metres back from the boundary itself. Although part of the apartment block proposed does not comply with these distances, the revisions to the application have aimed to address the purpose of this policy approach. The revisions have removed a second floor apartment and a balcony from the scheme (formerly proposed close to the rear boundary), the internal layout and rear fenestration have also been amended on the parts of the proposed building which fall short of the 21 metres and 10.5 metres. The windows serving the proposed ground and first floors for kitchen/living areas are to be high level obscure glass, with bedrooms also being obscure glass. The further set back 2nd floor windows which would provide light to an access corridor for two apartments along with a bathroom and secondary bedroom window are all detailed to be obscure glass. The retention of all these windows as obscure glass can be secured by a planning condition.
- 6.18** The concerns from some of the neighbouring properties are understood and it is acknowledged that outlook would undoubtedly be altered by the development. The applicant has worked with officers to make amendments to the proposal to reduce the impacts this development may have on neighbouring properties to the extent that officers are now supportive of the proposal. .

Highway issues

- 6.19** JCS policy INF1 advises that planning permission will be granted only where the impacts of the development are not severe. The policy also seeks to ensure that all new development proposals provide safe and efficient access to the highway network; and provide connections to existing walking, cycling and passenger transport networks, where appropriate. The policy reflects the advice set out within Section 9 of the NPPF.
- 6.20** The application is accompanied by a Transport Statement which sets out that there will be 19 car parking spaces plus secure cycle storage for 41 bikes. In reviewing this documentation, Gloucestershire County Council as the Local Highways Authority (LHA) set out concerns with regards the detail of the scheme and that insufficient information had been provided. The LHA set out concerns with the relocation of the existing bus stop in a southern direction due to the proximity of the lane merge which could potentially compromise highway safety. Further information and justification were also requested by the LHA; a revised swept path analysis was requested to ensure there would be no conflicts between vehicle movements, including refuse vehicles, to ensure that the access will provide two-way passing in and out of the site.
- 6.21** Revised plans have now been received. The proposed location of the relocated bus stop is now positioned further to the north of the highway further away from the lane merge with revised and additional swept path analysis drawings being submitted. In considering these revised plans the LHA have responded to provide, subject to conditions being attached to any permission, no objection to the application.

Drainage

- 6.22** Adopted JCS policy INF2 and Section 14 of the NPPF seeks to ensure that new development is not inappropriately located in areas at high risk of flooding, and to ensure that development does not increase flood risk elsewhere and, where possible, contributes to a reduction in existing flood risk.
- 6.23** Gloucester County Council as the Local Flood Authority (LLFA) has reviewed the application in respect of drainage. In considering the Drainage Strategy and Flood Risk Assessment submitted with the application the LLFA raised concerns and provided an objection on; discharge rates in that the discharge rate did not provide any betterment over the existing site rate; the approach taken in the drainage strategy and indicative plan; the application had not set out the need to accommodate a 40% climate change extra

capacity; and that the application had not provided for a plan for exceedance flow paths. The Council's Drainage Officer also had these concerns.

- 6.24** In response to these comments the applicant has provided revised and additional drainage information stating that the applicant has reduced the maximum discharge rate from the site; the use of permeable paving has been extended to ensure that water quality has been fully considered; 40% has been added to the 1 in 100 year period to account for climate change; there is a minor amount of flooding from a manhole cover in the highway but this shouldn't cause the building to flood; and finally the applicant has submitted exceedance flow paths which show the surface water will be directed away from buildings in events greater than 1 in 100 year. The recommendation from the LLFA based on the revised details is to remove their objection and that there is sufficient information supplied at this stage so that no conditions are required. The Council's Land Drainage Officer has also reviewed the revised details and endorses the comments provided by the LLFA.

Other Matters

Ecology

- 6.25** JCS policy SD9 and advice set out within the NPPF at Section 15 seeks to ensure that development contributes to, and enhances, the natural and local environment; and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development.
- 6.26** The Gloucestershire Centre for Environmental Records have identified that there have been hedgehog sightings in the vicinity of the site, the most recent being two sightings in 2015 approximately 355 meters and 485m from the centre point of the site with a rare Mintho Rufiventris fly 230 meters from the centre point of the site.
- 6.27** The applicant has submitted a detailed Ecological Survey Report. At section 5.2 and 5.3 of the report it sets out recommendations to avoid harm to protected species throughout the development, and Ecological Enhancements opportunities. It is recommended that a condition is attached to ensure these recommendations are adhered to.

Environmental Health

- 6.28** The Borough's Environmental Health officers have reviewed the submitted documents and provide no objection to the application on matters of noise and disturbance recommending that conditions should be attached to require the submission of a construction management plan.
- 6.29** A condition is also requested to restrict the use of the roof terrace based on concerns of potential noise and disturbance. The applicant has revised the application to ensure that the part enclosed roof terrace is only limited to the front part of the building facing Prince Elizabeth Road. Given this revised location it is not considered necessary to attach such a condition restricting its use. However conditions should be attached to ensure that any remaining flat roof areas are prevented from being used as amenity space and the proposed obscure on the rear elevation facing properties in Pinewood Drive are retained as such in perpetuity.

Affordable Housing

- 6.30** The applicant Cheltenham Borough Homes has set out 60% of the accommodation will contribute to affordable housing needs. This is in excess of the 40% policy requirement as set out in policy SD12 of the JCS. A condition is recommended to ensure that the level of affordable provision for the development is maintained in excess of the 40% policy requirement.

7. CONCLUSION AND RECOMMENDATION

- 7.1 NPPF paragraph 38 advises that “local planning authorities should approach decisions on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible”.
- 7.2 Paragraph 11 sets out a presumption in favour of sustainable development and directs that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the Framework taken as a whole, or specific policies in the Framework indicate development should be refused. Given the current lack of a five year housing land supply, paragraph 11 provides a ‘tilted balance’ in favour of granting permission.
- 7.3 Officers are of the view the application is acceptable on the matters of principle, design, highway safety, drainage and ecology as set out above. The application would also provide a contribution towards the Council’s housing land supply and would include a 60% affordable housing provision. The development would also provide CIL contributions and economic benefits during the construction of the development. The concerns raised by local residents on the grounds of amenity are understood; following ongoing discussion revised plans have been secured to improve this relationship to an acceptable level.
- 7.4 Given the above the recommendation therefore is to permit the application subject to conditions.

8. CONDITIONS / INFORMATIVES

To follow as an update

APPLICATION NO: 19/00431/FUL		OFFICER: Mr Joe Seymour / Mr Craig Hemphill	
DATE REGISTERED: 6th March 2019		DATE OF EXPIRY : 5th June 2019	
WARD: Hesters Way		PARISH:	
APPLICANT:	Cheltenham Borough Homes		
LOCATION:	Monkscroft Villas, Princess Elizabeth Way, Cheltenham		
PROPOSAL:	Demolition of existing building and redevelopment of site to provide a four storey block of flats comprising 18no. 1 bed & 9no. 2 bed units. Along with 2no. 2 bed semi-detached houses with ancillary car parking, cycle/bin stores and associated landscaping. Alterations to existing pedestrian and vehicle access.		

REPRESENTATIONS

Number of contributors	4
Number of objections	3
Number of representations	1
Number of supporting	0

33 Pinewood Drive
Cheltenham
Gloucestershire
GL51 0GH

Comments: 28th March 2019

1. The proposed development of 27 apartments by reason of its current four storeys design, size, depth, width; height and massing (as apposed to the existing detached two-storey terrace of three houses) would have an overbearing and unacceptable loss of privacy on our property.
2. The proposed development of 27 apartments by reason of its current four storey design, size, depth, width, height and massing will have a greater detrimental and long standing impact on the loss of natural light against our property (as well as neighbouring properties adjoining the proposed development) throughout the year. We therefore request an independent survey to be undertaken on all the properties effected and not rely on the overshadowing exercise undertaken using 3D modelling software (pg 22 of the D&A Statement Monkscroft) which does account of the fact that daylight hours start earlier in the morning and that by definition the natural loss of light due to overshadowing will be far greater than what is currently stated and indicated. The Overshadowing exercise undertaken using 3D computer modelling should have (by comparison) been reflective against the existing properties and its current impact on the adjoining properties.
3. The proposed development of 27 apartments by reason of its current four storey design, size, depth, width, height and massing will have a long standing and detrimental impact on light pollution at night due to the increase of lighting to support access amenity and building security illumination.
4. The proposed landscaping in its current design proposal does not offer any natural security (i.e. thorn bushes, or, bramble bushes to which the previous tenants upheld and controlled) against our property. In fact, the proposed location of the Two Tier Cycle Store (for 40 bikes) as well as a Refuse Store will provide easy access into our property as well as that of the neighbouring properties that adjoin the 'Site' boundary.

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5. We believe that the proposed 19 car allocation of spaces against a development of 27 apartments is not only insufficient, but seriously underestimated, and will by design, lead to an immediate and detrimental impact on road traffic and highway safety along Princess Elizabeth Way as well as on Pinewood Drive by way of additional overflow parking.

Therefore, we ask that Cheltenham Borough Council refuse this Planning Application in its current design, and a smaller, less intrusive design that is more in keeping with character of this area be put forward for planning approval.

54 Pinewood Drive
Cheltenham
Gloucestershire
GL51 0GH

Comments: 22nd March 2019

Following the issues with the construction of the GCHQ car park and considering the proximity to residential properties, should this application be passed it should be subject to a clear construction method statement which includes:

- 1) Sound proofing boundary between the construction site and the neighbouring properties. No construction must be permitted to start until this is in place.
- 2) Clear definition of approved working hours. I would suggest 0800-1800 Mon-Fri, 0800-1300 Saturday and no working permitted on Sundays.

Also as mentioned in the other comments, a clear undertaking from CBH to manage car use and parking so as not to impact on Pinewood Drive which already has significant issues which cannot be managed by CBC or GCC until the road is adopted.

22 Pinewood Drive
Cheltenham
Gloucestershire
GL51 0GH

Comments: 11th March 2019

This development will be a eye sore and also cause the worsening of the parking situation on Pinewood Drive as the current designs does not provide enough parking for the number of flats even if everyone only had 1 car.

The unoccupied buildings currently have less of a effect on house prices than this development would do.

33 Pinewood Drive
Cheltenham
Gloucestershire
GL51 0GH

Comments: 9th May 2019

All of the comments below relate to the revised drawing and submission (date Published: - 03 May 2019) of the Revised proposed elevations (Design Drawing Ref - 170980-1500-P04-Proposed Elevations:-

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1. West Elevation 3 storey + roof terrace (rear facing) - overall height and mass of the structure, albeit revised, continues to remain an overwhelming visual impact from our property with considerable reduction in the amount of visible sky.
2. West Elevation 3 storey + roof terrace (rear facing) - again, due to the overall height and mass of the structure, there continues to remain a substantial loss of light (both sunlight and natural daylight) to our property which has not been addressed.
3. West Elevation 3 storey + roof terrace (rear facing) - there are a mix of windows (12 inc. patio door) all of which open (regardless of the type of glass used) and directly overlook our property.
4. West Elevation 3 storey + roof terrace (rear facing) - loss of privacy in both our garden and home by going from a terraced row of 2 storey properties to a 3 (plus roof terrace) / 4 storey block of 27 flats. The impact of this simply cannot be quantified.
5. West Elevation 3 storey + roof terrace (rear facing) - communal roof terrace (4th storey). In effect, this is a glass greenhouse open to everyone to look into our garden and home (along with neighbouring properties) with total disregard for our (and that of our neighbours) privacy. In addition, the design remains as the original submission in terms of height.
6. Design ref: 170989-1510-P04-Proposed Section A-A_B-B &C-C.

Drawing Design 1 Proposed Section A-A Scale 1:200. The stated numerical distance of 17325 (from The Existing House to the Proposed Flats) is in conflict with the Design ref: 170989-1602-None-Proposed Site Distance Plan stating the line distances of 17650 (nearest point of Existing House to Proposed Flats). We also contend and contest that the proposed distance stated as 21660 should also be checked and validated as being correct. These 2 points are paramount considering the variation in natural landfall at this end of the site.

In summary, whilst we acknowledge that minimal revisions to the original submission have been produced, this does not go far enough in addressing the monumental impact this development will have. Our property is located at the narrowest and lowest lying land point of the proposed site development, and as a result we therefore suffer greatest by this development. We cannot stress highly enough the impact of this immense structure within metres of our boundary will have on privacy, light, noise and visual impact. We therefore continue to uphold our original position and seek from the Cheltenham Borough Council the refusal of this revised Planning Application in its current design and format and that a smaller, less intrusive design more in keeping with the character of the area be put forward for consideration.

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APPLICATION NO: 19/00423/FUL	OFFICER: Michelle Payne
DATE REGISTERED: 16th March 2019	DATE OF EXPIRY: 8 th July 2019
DATE VALIDATED: 16th March 2019	DATE OF SITE VISIT: 16th April 2019
WARD: Battledown	PARISH: n/a
APPLICANT:	Mr Dominic Richardson
AGENT:	Steve Mitchell Building Design
LOCATION:	Land And Garages At King Alfred Way Cheltenham
PROPOSAL:	Demolition of garages and construction of 4no. three bed dwellings with associated external works (revised scheme following previous grant of planning permission ref. 17/02110/FUL and 18/02621/FUL to include additional floor to plots 1 & 2)

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the southwest side of King Alfred Way, close to the junction with Hales Road. The site is some 0.06ha, rectangular in shape, and until recently accommodated a row of 14no. lock-up units/garages.
- 1.2 The site is bounded by residential properties in Hales Road to the northwest, a residential property in Coltham Field to the southwest, and a car storage facility to the southeast.
- 1.3 Planning permission was granted by the Planning Committee in April 2018 for the erection of 4no. two bedroom dwellings with associated car parking and landscaping; the housing comprises 2no. pairs of semi-detached houses. This permission has been implemented and construction is well underway on site.
- 1.4 Subsequently planning permission was granted in February 2019 for a revised scheme to include the provision of a second floor of accommodation on plots 3 and 4 to the rear of the site; the permission has been implemented and provides both dwellings with an additional bedroom with en-suite.
- 1.5 This application is now seeking planning permission for the provision of a second floor to plots 1 and 2 at the front of the site.
- 1.6 The application is before planning committee at the request of Councillor Babbage due to the concerns raised by local residents.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Landfill Sites boundary

Relevant Planning History:

17/02110/FUL

PERMIT

20th April 2018

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

18/02090/CONDIT

PERMIT

13th December 2018

Variation of condition 2 (approved documents) on planning permission ref. 17/02110/FUL to allow for amendments to approved house types

18/02621/FUL

PERMIT

14th February 2019

Demolition of garages and construction of 2no. two bed and 2no. three bed dwellings with associated external works (revised scheme following grant of planning permission ref. 17/02110/FUL)

19/00220/AMEND

PERMIT

8th February 2019

Non-material amendment to planning permission ref. 18/02090/CONDIT to allow for alterations to fenestration and external finishes

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 12 Achieving well-designed places

Saved Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD10 Residential Development
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Residential Alterations and Extensions (2008)

4. CONSULTATION RESPONSES

Gloucestershire Centre for Environmental Records

3rd April 2019

Report in documents tab

Ubico Ltd

22nd March 2019

1. Loading Area

Due to the location of where the houses are being developed ideally there needs to be an area safe for the crew to stop for collection. The area in question is a very busy industrial estate with many large goods vehicles driving through as well as an access to the Ewens Farm. This poses a risk due to heavily parked cars causing issues for the waste crews stopping safely.

2. Collection Point

Bins shed appears to be at the front but due to this being private dwellings the ownership would be for them to present on the kerbside of the nearest adopted highway for 7am on the morning of collection. Collections would not be made from the bin shed.

3. Bin shed

The bin shed needs to be adequate for 4 x 190 ltr bins one for each property.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out to 16 neighbouring properties. In response to the publicity, 10 representations have been received in objection to the proposal albeit many of the concerns relate to the already approved development. The main concerns are summarised below:

- Negative visual impact
- Loss of distant view
- Loss of privacy
- Loss of light

6. OFFICER COMMENTS

6.1 The principle of developing this site to provide four houses has been previously established by the original grant of planning permission ref. 17/02110/FUL in April 2018, and subsequent revisions approved by 18/02090/CONDIT, 18/02621/FUL and 19/00220/AMEND. As such, the only matter for consideration when determining this application is the acceptability of the additional floor to plots 1 & 2 in terms of design and neighbouring amenity.

- 6.2 With regard to design, the proposed second floor would be identical to that recently approved on plots 3 & 4, and therefore must be deemed acceptable. The additional floor is simple in form, set back from the principal elevation, and would be faced in grey render to pick up on the slate roofs of surrounding residential properties.
- 6.3 Additionally, the proposed additional floor is considered to be acceptable on amenity grounds. The windows to the rear of the additional floor will serve a bathroom and landing and are detailed to be obscurely glazed; this can be controlled by way of a condition. Additionally, a condition is suggested which restricts access to the area of flat roof at second floor, allowing access for maintenance purposes only. The additional windows in the front of the properties would look out across King Alfred Way and be well in excess of 10.5 metres from the rear gardens of properties in Hales Road to the north of King Alfred Way. Moreover, the set back from the front elevation would further restrict views into these gardens.
- 6.4 There are no additional concerns in terms of outlook or daylight; the relationship of the additional floor with properties in Hales Road to west, which benefit from long rear gardens, is similar to that of the approved scheme on plots 3 & 4. Members will be aware that the loss of a view is not a material consideration in the determination of a planning application.
- 6.5 It is also noteworthy that no objections were received in response to the application for the additional floor to plots 3 & 4; this is despite two rounds of letters being sent to local residents.
- 6.6 The comments made by Ubico in relation to waste collection have been duly noted; however this aspect of the development has not changed. The bin collection point was introduced into the scheme in response to comments from the Joint Waste Team on the original application.

7. CONCLUSION AND RECOMMENDATION

- 7.1 In conclusion, the proposal is considered to be acceptable. The additional floor will not result in any unacceptable harm in terms of design or neighbouring amenity. Decisions on applications must be consistent and made in accordance with the development plan.
- 7.2 The recommendation therefore is to grant planning permission subject to the following conditions which reflect those previously imposed.

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 development hereby permitted shall be carried out in strict accordance with the previously approved Construction Method Statement (Document Reference: SBCL/CMS101018) for the duration of the works.

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Reason: To minimise disruption on the public highway and adjacent land users and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 110 of the National Planning Policy Framework.

- 4 Tree protective fencing to BS5837:2012 shall be retained 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).

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that order), the first floor bathroom windows and the side windows to the projecting bays shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall incorporate a restricted opening mechanism.

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

- 6 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 second floor windows to the rear elevation shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall incorporate a restricted opening mechanism.

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

- 7 All hard and/or soft landscaping works shall be carried out in accordance with the details shown on approved Drawing No. 1140.04. The works shall be carried out prior to first occupation of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 8 Prior to first occupation of the development hereby permitted, vehicular parking and turning facilities shall be provided in accordance with approved Drawing No. 1140.01 H, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that adequate car parking is provided within the site, and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 of the National Planning Policy Framework.

- 9 Prior to first occupation of the development hereby permitted, cycle storage facilities shall be provided in accordance with approved Drawing No. 1140.01 H, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up, having regard to policy INF1 Joint Core Strategy (2017) and paragraph 108 of the National Planning Policy Framework.

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

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians is provided, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 11 Prior to first occupation of the development hereby permitted, a pedestrian tactile crossing across the site entrance shall be installed in accordance with approved Drawing No. 1140.01 H.

Reason: To reduce potential highway impact by ensuring that adequate pedestrian facilities are provided and maintained, and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 of the National Planning Policy Framework.

- 12 The flat roof area at second floor level shall not be used as a balcony, roof garden or other external amenity area at any time. Access to the flat roof shall be for maintenance purposes only.

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

INFORMATIVE

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

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

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

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APPLICATION NO: 19/00423/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 16th March 2019		DATE OF EXPIRY :	
WARD: Battledown		PARISH:	
APPLICANT:	Mr Dominic Richardson		
LOCATION:	Land and Garages at King Alfred Way, Cheltenham		
PROPOSAL:	Demolition of garages and construction of 4no. three bed dwellings with associated external works (revised scheme following previous grant of planning permission ref. 17/02110/FUL and 18/02621/CONDIT to include additional floor to plots 1 & 2)		

REPRESENTATIONS

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

51 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 7th April 2019

We object to this revision as we feel the proposed third floor to this development would have a negative visual impact to the area. It would be the tallest building in the neighbourhood and feel rather imposing, over shadowing the adjoining traditional housing.

While we did not object to the original application we feel this revision would compromise the visual impact of the area.

45 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 2nd April 2019

The height level of the unfinished properties is already blocking the view that we once had of the hills behind and I feel that the extra height on top is now going to block the view completely and will now invade our personal space as they will be looking directly down onto our gardens which is not acceptable to us. There is no need for the extra level on top of these properties and this should have been made public at the very first stages of planning, not at the end stage, seems very rushed and not well planned at all.

1 West Way
Coltham Fields
Cheltenham
Gloucestershire
GL52 6TH

Comments: 3rd April 2019

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I am writing to lodge my objection to the addition of a floor to plots 1 & 2 specifically on this planning.

Firstly I am somewhat surprised that we did not receive notification of any request for building in the outset, given the properties in question are clearly visible from my house. However on discussing this with neighbours in the area, it appears the workaround on this is that as I am not a boundary property there's no legal requirement to inform me - useful, well with this in mind then the property should not invade my privacy then?

I have gone from living in a house with no one overlooking me to having two now 3 story houses looking straight into my garden, lounge and one of the bedrooms.

The building of two storey houses that have balcony windows with a view down into my garden was something I wasn't entirely happy with however I could see how I could allow greenery in my garden to grow to assist in slightly obscuring their clear view.

I now see a request for and the appearance of the 3rd floor and find this entirely unacceptable.

These houses are the tallest properties in the entire area and now look down into my and a number of other gardens. I have a small child and do not want anyone looking in to my garden with full view of what my young family are doing in our own private space.

I will not be able to block any view of a building this high, nor should I have to.

How can any planning be granted for 3 storey houses squeezed onto this strip of land?

41 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 1st April 2019

We object in the strongest terms to the proposal to add an additional floor to plots 1 & 2 on the grounds that they will only increase the already significant negative impact upon our privacy at 41 Hales Road. The existing building already allows occupants to see directly into our rear garden and rooms at the rear of our property. An additional floor with full height windows will add further to this situation.

Additionally, as it stands the buildings are already out of proportion with the local area and having two three story blocks looking down on properties #31 to #31 is totally unacceptable from a of loss of privacy, amenity and light perspective. The issue of loss of light will also impact upon properties such as ours which are close to the other side of King Alfred Way.

There is also the issue of occupancy and associated factors such as noise and vehicular access. Parking is constrained on the site at present and adding scope for more residents with the potential for additional parking needs will only make the situation worse.

I suggest that planners visit the site and view it from properties that will be affected i.e. #31 through to #41 rather than make decisions based upon drawings and promises submitted by developers.

35 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 6th April 2019

This looks directly over my garden and will completely dominate my home and garden. The proposed third storey will block my light and impair my privacy as well as having a detrimental visual impact. This does degrade the area as there are no other 3 storey in the immediate area and not in keeping with 100 year old properties.

33 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 28th March 2019

We and our neighbours strongly object to the proposal at reference, which increases the height of already approved buildings and turns two storey into three storey buildings. We object chiefly on grounds of loss of privacy, amenity and loss of light.

Any visitor to the neighbourhood looking from our homes and gardens would appreciate how out of proportion these towering buildings would be. We suggest you make a visit instead of relying on paper plans, and view the area from the home perspective since an inspection from the higher land level of the building site can only give a biased view.

Changing the approved buildings in this way would cause major loss of light to our homes and gardens. The impact is high since properties 1 and 2 stand between our houses and the rising sun (homes directly impacted include at least 31, 33, 35 and 37 Hales Road). The impact is exaggerated because of the differing land levels between our homes and the land on which these buildings stand: the proposed change effectively blocks morning sunlight from the ground floor of our homes.

Changing the approved buildings in this way would interfere with privacy to an unacceptable degree. The two storey dwellings were presented on paper as if the use of frosted glass on side facing windows tackled privacy issues but this is deeply misleading. Once the angling is taken into account, properties 1 and 2 already have windows which look into bedrooms at the rear of our home. There are at least five windows on the approved buildings which violate the privacy of our home and garden, with a similar effect on neighbouring homes. However, the fact that most of these exist at two storey height means some partial screening may be possible, although the effect is already very intrusive. The presence of windows on a third floor, at a height which cannot be screened, would effectively destroy our remaining privacy and the enjoyment of our own homes and gardens.

Changing the approved properties in this way would constitute loss of privacy and amenity. The partially finished buildings already have a looming aspect and dominate existing homes, the impact being exaggerated because of differing land levels between the site and Hales Road, and the fact that the new buildings are so close to the boundary line. Three storey buildings are out of proportion to everything else established in the vicinity, business or residential. It was always misleading to present approved properties 1 and 2 as if they were similar to an existing pitch-roof annex to number 37 Hale's Road: their flat roofs and the differing land levels already make the two storey buildings loom large, block more light and have windows at greater heights than would an equivalent pitch-roof property in the same spot. However, the addition of a third storey to these buildings would have a gross effect, blocking sight lines to established trees and being visible from the main street Hales Road, and from homes to the north of King Alfred Way as well as from our neighbouring homes and gardens. This disproportionate third storey would be a blight on what is otherwise a reasonably open and pleasant stretch of King Alfred Way, containing brick-built buildings of reasonable domestic height. Residents of Coltham fields have already complained at the invasive and looming effect of the changed properties 3 and 4, and the current proposal is far more visible from public spaces.

Making the buildings larger would also be likely to increase the number of inhabitants, and therefore put more pressure on parking in what is a very limited site. The road safety and parking issues in King Alfred Way were a source of local objection to over-development of this site. Making the buildings larger also may make them less affordable, and there is a shortage of affordable housing in our area.

31 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 26th March 2019
Letter attached.

29 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 2nd April 2019
Letter attached.

27 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 2nd April 2019
Letter attached.

25 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 8th April 2019
The currently half-constructed development of four houses is not in keeping with the local area in both height and aesthetics.

There are no examples of a three-storey house on this elevated side of Hales Road. The proposed third storey amounts to an eyesore and dominates the skyline when compared with the sympathetically converted lofts utilised by other properties to create extra space. The height and orientation mean that the property overlooks many of the back gardens along the East of Hales Road. This is made worse by the fact that these properties have not been overlooked in this way before, introducing an unwanted precedent to the local area.

We originally objected to the development on the basis that 14 garages were proposed to be removed when a serious parking issue exists on Hales Road. The garages were fully used as far as we could tell (also noted by the transport assessment which presumed the same), which means there are fourteen extra vehicles needing somewhere to park. Adding four new bedrooms to this small development has the potential to make the Hales Road parking issue worse as there is no proposed increases in parking on the development and certainly no space on Hales Road.

Please note we would have objected to the third storey of plots 3 and 4 however we unfortunately missed the deadline.

Please consider this an objection to the proposed plan.

Rec'd 25 MAR 2019

SERVICES


31 Hales Road
Cheltenham
GL52 6SL

22nd March 2019

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

For the attention Miss Michelle Payne, Planning Officer

REFERENCE: 19/00423/FUL

Proposal: Demolition of garages and construction of 4 no. three bed dwellings with associated external works (revised scheme following previous grant of planning permission ref. 17/02110/FUL and 18/02621/FUL to include additional floor to plots 1 & 2) | Land And Garages At King Alfred Way Cheltenham Gloucestershire

Planning permission was originally granted for 4, two storey, two bedroom dwellings, despite several objections, one being that this was an over development of the site.

With planning permission subsequently granted for Plots 3 and 4 to have an additional storey added and extra bedroom, and now a request for the same on Plots 1 & 2, this is a definite over development of the site

Increase in bedrooms gives the potential for a bigger household. With this in mind there is also potential for more cars per household and there is little or no room for any additional car parking within this development. This will ultimately have a negative impact on the parking and traffic issues, and subsequent safety, already experienced in King Alfred Way and surrounding areas

The added storey on Plots 3 & 4 is near completion. As the building is on a higher elevation than the properties on Hales Road it appears very imposing. The very close proximity to the boundary lines, and now increased height, has had a detrimental effect on the appearance of the landscape; the image that now hits us is a very high brick wall. This severely overshadows the gardens and our privacy is also compromised. For these reasons I am strongly against Plots 1 & 2 being granted the same permission.

Please note I was not in receipt of consultation of the amendments for Plots 3 & 4 and given chance to comment. I would have strongly objected to the additional floor being granted.

Regards



29 Hales Road

Cheltenham

GL52 6SL

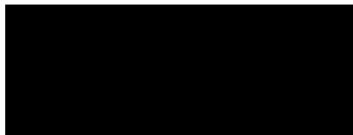
1st April 2019

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

Dear Miss Crews

Re Planning Application 19/00423/FUL; Land and garages at King Alfred Way Cheltenham

I wish to make you aware of my objections to the proposal of the above planning application for plots 1 and 2 of the above site. As my property is adjacent to plots 3 and 4 where an extra floor has already added, the height and size of the building has now caused a lack of light to both my garden and my home. I also find the imposing height and size of the building dominates my home and view due to the difference in level of my home in relation to the new building. The planning application for plots 1 and 2 for an extra floor will have an even more negative effect on my home and garden blocking out more light and placing my garden into full shade as the sun rises from behind the plots 1 and 2. I also have concerns about the extra floor addition and the windows on the plots 1 and 2 as they will cause lack of privacy in my garden, and once again I will have high walls in vision from my home.





27 Hales Road
Cheltenham
GL52 6SL
1st April 2019

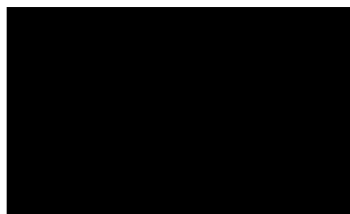
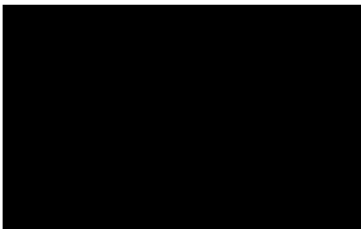
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

Dear Miss Crews

Re Planning Application 19/00423/FUL; Land and garages at King Alfred Way Cheltenham

We wish to make you aware of our strong objections to the proposal of the above planning application for plots 1 and 2 of the above site. As our property is adjacent to plots 3 and 4 where an extra floor has already been added and in the unfortunate circumstances of us missing the date of objection for this construction due to family illness, we much to our regret and dismay now have face the full impact this extra floor is having on our property. This causing loss of light to our home and garden due to the height and size of the added floor and difference of levels between our home and that of the site on which the homes are being constructed. The new planning application for an extra floor on plots 1 and 2 will have an even larger impact on our garden, causing complete shade and lack of light to our home, due to plots 1 and 2 blocking out the rising sun. We are also impacted with the view from our home, from' both our ground and upper floor windows as we are now faced with a brick wall at the end of our garden once again due to the height and size of the additional floor. This also concerns us with the application of planning for an additional floor for plots 1 and 2 as we would have more high walls in our visual sight from our home. In addition to this the angle of windows on plots 1 and 2 will have an effect on the privacy of our garden and that of our neighbours. Residents of both Coltham Fields and Rosehill Street have expresses their concerns about the negative effect the windows on the houses of plots 3 and 4 will have on the privacy of their homes and gardens. We feel the construction of the properties and the new planning applications being presented in increments are not taking into the account the modifications to the original plans and how the height of the new homes are creating a negative effect on our home and the homes in the surrounding area.

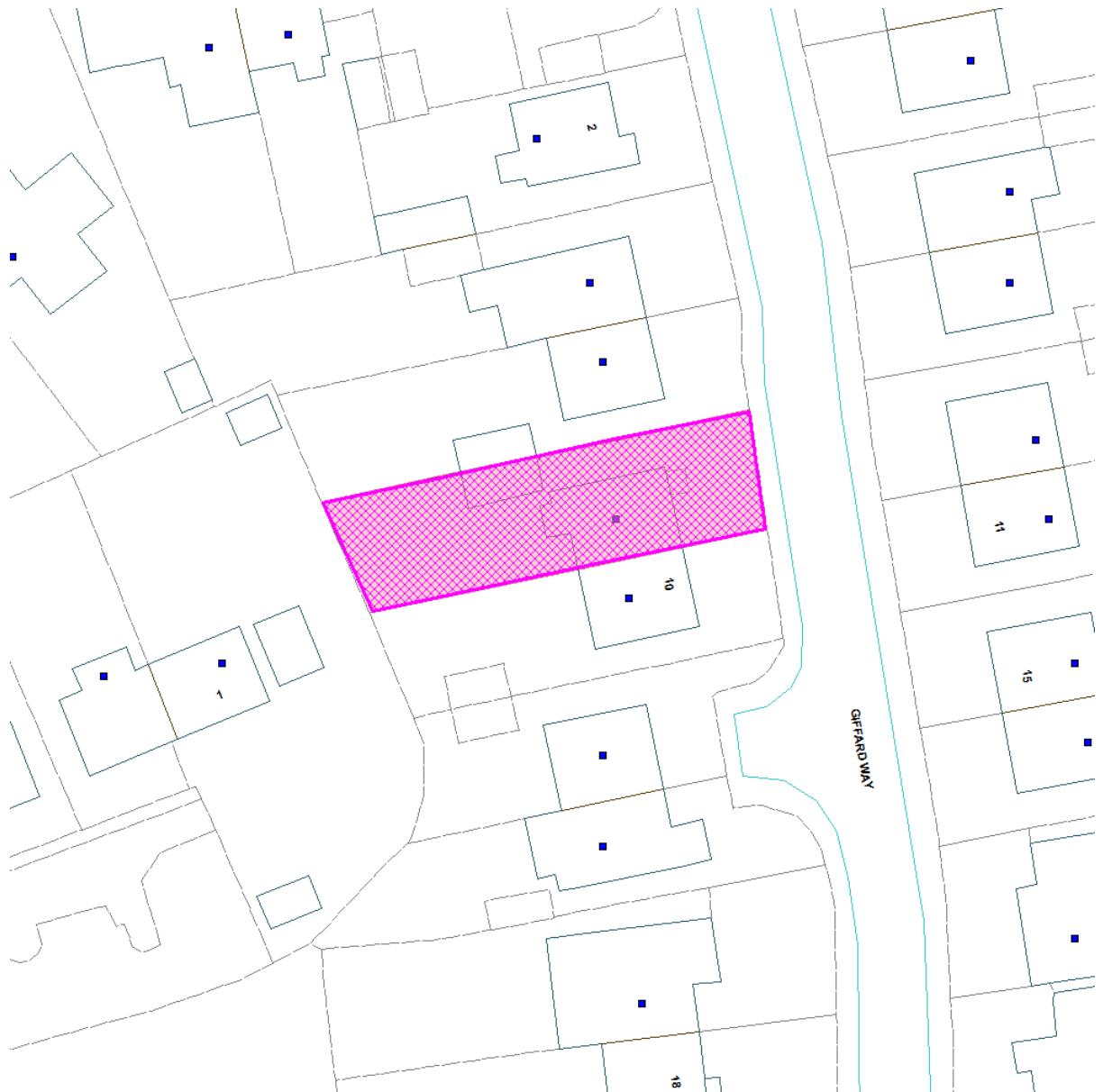
We will be grateful if the council will take into consideration our concerns of this application



Delegated Officer Report

APPLICATION NO: 19/00450/FUL		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 7th March 2019		DATE OF EXPIRY: 31 May 2019	
DATE VALIDATED: 7th March 2019		DATE OF SITE VISIT: 27th March 2019	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Mr Andrew MacDonald		
AGENT:	DesignForLiving Architects Limited		
LOCATION:	8 Giffard Way Leckhampton Cheltenham		
PROPOSAL:	Demolish rear extension and garage. Two storey rear extension. Replace entrance porch		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application proposes the erection of a two-storey rear extension with a single storey element and front porch.
- 1.2 The scheme has been revised, trying to address officers concerns relating to design and impact on neighbouring amenity.
- 1.3 The application is brought to Planning Committee at the request of Cllr Horwood, on the grounds that the revised extension is still overbearing and large for the site.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 12 Achieving well-designed places

Saved Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Other

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

22nd March 2019 - Biodiversity report available to view.

Building Control

13th March 2019 - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council

2nd April 2019 - The Parish Council objects to this application as it is too big for the site and would be overbearing. We would ask that it goes to committee if it is approved.

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 originally sent out to notify neighbouring properties of this application and in response to this publicity, 2 objections have been received. The neighbouring properties were notified a second time following revised plans and no letters of representation have been received.

5.2 The planning objections for the original plans related to;

- Design and impact on the character and appearance of the area
- Overbearing impact on neighbouring dwellings

5.3 The neighbour also raised concerns with regards to the impact on the structural integrity of their existing garage. This is a civil matter between landowners and not a planning consideration.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key considerations in relation to this application are the design of the proposal and impact that it will have on the existing building and character of the locality, and the potential impact on neighbouring amenity.

6.3 The site and its context

6.4 The application site is a semi-detached, pitched roof, brick property located within Leckhampton. A number of neighbouring properties have been extended including the adjacent neighbour at 10 Giffard Way.

6.5 Design

6.6 Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting..

6.7 Policy SD4 of the Joint Core Strategy (JCS) sets out that high quality, well thought out design is key to achieving sustainable development. The policy goes on to emphasise that development should positively respond to and respect the site and its surroundings.

6.8 Saved local plan policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality. Paragraph 4.18 of the Cheltenham Borough Local Plan advises that 'extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building. The most important consideration is that an extension should not detract from the original'.

6.9 Expanding upon local plan policy CP7, this Authority has adopted design guidance relating to householder extensions. It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this Supplementary Planning Document 'Residential Alterations and Extensions' is

subservience, the document advises that “an extension should not dominate or detract from the original building, but play a supporting role”.

- 6.10** The proposal has been revised following officers’ concerns. The original scheme was considered large and failed to achieve the desired level of subservience to the parent dwelling.
- 6.11** In the revised scheme the depth of the two storey extension has been reduced by 900mm with the roof of the extension now being proposed as hipped. Both the first floor window to the side elevation serving bedroom 4 and the proposed en-suite first floor window in the side elevation are now detailed to be obscured glaze. As revised the proposed extension will extend 4m from the rear elevation, the first floor does not extend the full width of the property and is set back 1.5m from the boundary with the neighbouring property. The extension will be finished in brick to match the existing.
- 6.12** The two storey extension is a large addition but given the reduced in depth of the extension, that it does not extend the full width of the property, and the ridge height is set lower than ridge of the existing dwelling, and that the proposal will not mask the original form of the building. As revised the proposal is considered to provide an extension that respects the character and scale of the existing building, and does not detract from the original dwelling.
- 6.13** The front porch is 2.1m by 1.5m, will have a lean-to roof and has a brick and timber clad finish. It is a subservient addition that is in keeping with the original dwelling.
- 6.14** As such, it is considered that the proposed development complies with the relevant policies and guidance in terms of achieving an acceptable design.
- 6.15 Impact on neighbouring property**
- 6.16** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Local Plan policy CP4 which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.17** The neighbour at 10 Giffard Way had concerns that the original two storey extension would have had an overbearing impact. Following the revised plans the neighbour has been re-consulted and no further objections have been received at the time of writing this report.
- 6.18** To assess whether the development would lead to a loss of daylight the 45° daylight test as referred to within Local Plan Policy CP4, has been completed. The proposal passes this test which suggests that the neighbouring property would not lose daylight to their windows to an unacceptable degree.
- 6.19** With regards to potential overshadowing and the perceived overbearing impact caused by the extension, it is worth noting that whilst the two storey extension will project 4m beyond the rear elevation, it is set in from the shared side boundary by 1.5m.
- 6.20** The amount of sunlight received by a specific property is dependent on the season, aspect, and time of day, and it is therefore very difficult to substantiate. The application site is north of the adjoining neighbour and the test is whether this impact is to an unacceptable degree and given that the garden and windows will not be cast in shadow all day, officers do not consider it to be unacceptable. The relationship between buildings that would result from the proposed extension is common place within a built-up environment and is considered to be acceptable.

- 6.21** In relation to the potential overbearing impact, a similar conclusion has been arrived at by officers. Given the distance between the two storey extension and the depth of the garden, the proposal will not be overly overbearing when viewed from the adjoining site and is considered to be compliant with the provisions of local plan policy CP4
- 6.22** 2 first floor windows are proposed in the north side elevation. If members were to permit this application a condition is recommended that will ensure these windows are glazed with obscure glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level.
- 6.23** As such, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.
- 6.24 Environmental impact**
- 6.25** Whilst records show important species or habitats have been sighted near to the application site in the past, it is not considered that the scale of the proposed development will have a harmful impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Based on the above, and following the submission of revised plans, the proposed two storey extension and porch is considered to be in accordance with the relevant policies and guidance in terms of achieving an acceptable design and will not result in unacceptable harm to the amenity of adjoining land users.
- 7.2** The recommendation is therefore to permit this 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).
- 4 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 side first floor windows to bedroom 4 and en-suite shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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

INFORMATIVES

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

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

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

APPLICATION NO: 19/00450/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 7th March 2019		DATE OF EXPIRY : 2nd May 2019
WARD: Leckhampton		PARISH: Leckhampton
APPLICANT:	Mr Andrew MacDonald	
LOCATION:	8 Giffard Way Leckhampton Cheltenham	
PROPOSAL:	Demolish rear extension and garage. Two storey rear extension. Replace entrance porch	

REPRESENTATIONS

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

6 Giffard Way
 Leckhampton
 Cheltenham
 Gloucestershire
 GL53 0PP

Reason(s)
 NONE GIVEN

Comments:

The proposal calls for the demolition of the applicant's garage. That garage is currently semi-detached with my garage. The demolition will expose what is currently an internal wall between the two garages.

I do not object to the planning application in principle but I am concerned about the effect the proposal will have on my garage. I ask that if the application is granted it is granted with conditions to secure the structural integrity of my garage.

I would ask that it is a condition of granting the application that:

- The current internal wall between the two garages is made a proper external wall for my garage;
- The foundations for that wall are made suitable for such an external wall;
- Any necessary strengthening of the foundations arising from the extension or the works is carried out;
- The roofing of my garage is made secure and weatherproof as necessary in consequence of the demolition of the applicant's garage;
- My garage is made good, properly finished and its structural integrity secured

10 Giffard Way

Reason(s)

Leckhampton
Cheltenham
Gloucestershire
GL53 0PP

NONE GIVEN

Comments:

Whilst we do not object to the principle of the applicant extending the property, we are concerned about the size and scale of the proposal and the impact it will have on the character and appearance of the area. As a result, we would like to see the proposal revised to reduce the depth of the extension.

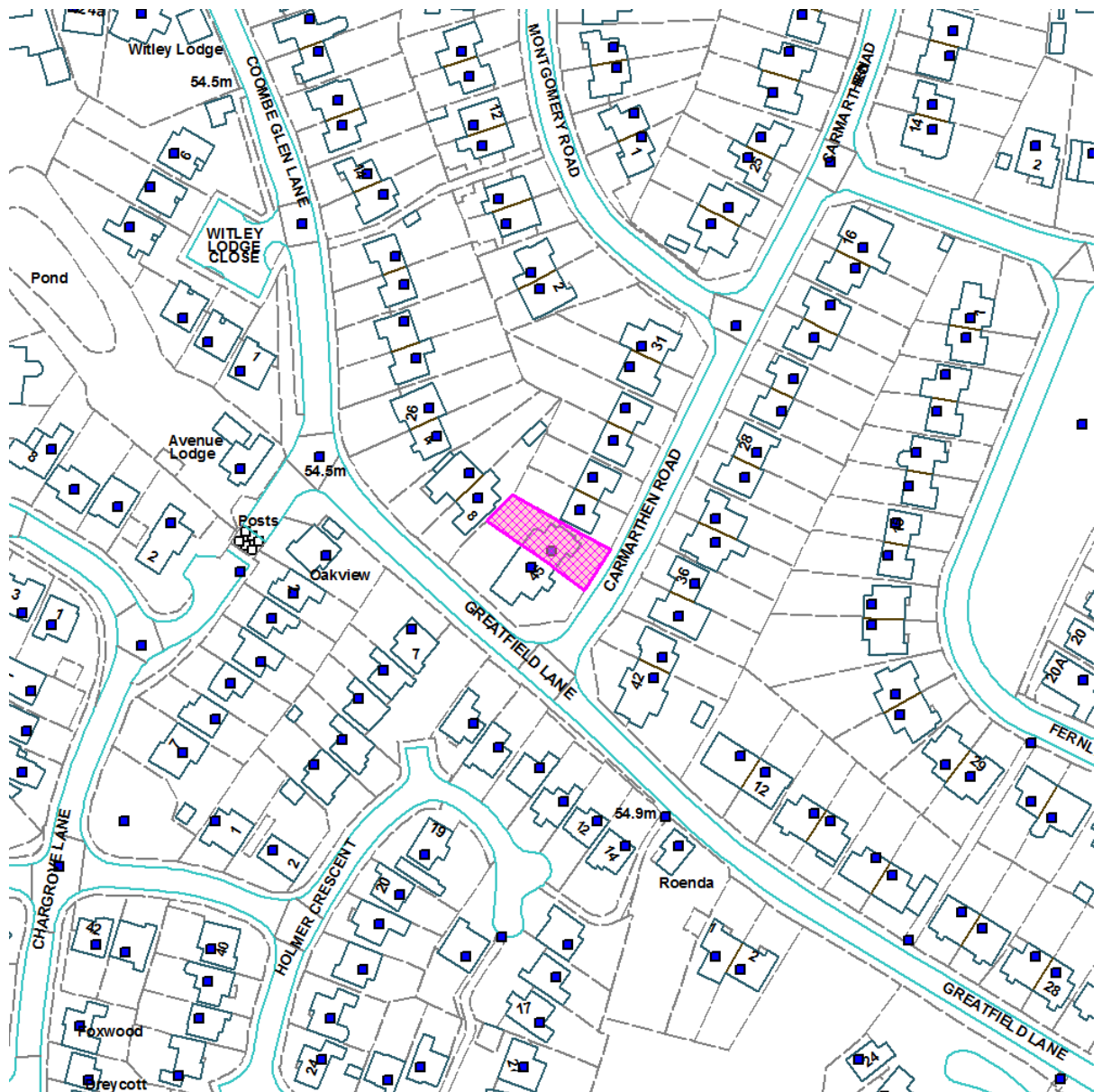
Giffard Way's character is that of a series of detached and semi-detached 2 storey dwellings, which where they have been extended are extended at a single storey level to the rear. This 2 storey extension represents a significant extension rearwards, which would have an overbearing impact on the neighbouring dwellings.

In terms of the plans, it is noted that there is a discrepancy between the north side elevation window at ground floor (garden room) which is longer on the elevation, than it is on the floorplan. This will need amending in any event.

We would be grateful if the above concerns were taken into account in the determination of the application.

APPLICATION NO: 19/00634/FUL	OFFICER: Mr Gary Dickens
DATE REGISTERED: 30th March 2019	DATE OF EXPIRY: 25th May 2019
DATE VALIDATED: 30th March 2019	DATE OF SITE VISIT: 2nd April 2019
WARD: Up Hatherley	PARISH: Up Hatherley
APPLICANT:	Mr Kelvin Jones
AGENT:	Agent
LOCATION:	43 Carmarthen Road Cheltenham Gloucestershire
PROPOSAL:	Front porch. Single storey rear extension. Loft conversion with rear dormer.

RECOMMENDATION: Permit



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 43 Carmarthen Road. The site is a two storey semi-detached dwelling located on a residential road in Up Hatherley.
- 1.2 The applicant is seeking planning permission for the following works:
- A front porch extension
 - Single storey rear extension
 - Loft conversion with rear dormer
- 1.3 The application is before Members at the request of Cllr McKinlay due to potential impact on neighbouring amenity, specifically a loss of privacy. Members will have the opportunity to view the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m

Relevant Planning History:

19/00627/PREAPP 29th March 2019 CLO

Rear extension, porch and loft conversion

94/01081/PF 12th November 1998 PER

Erection Of Single Storey Rear Extension ***Issued Under Delegated Authority 17 Jan 95***

80/00803/PF 23rd May 1980 PER

Extension to existing dwelling to provide an enlarged entrance hall

82/00728/PF 27th July 1982 PER

Alterations and extension to existing dwelling house to provide a utility room and enlarged private car garage with two bedrooms over

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 6 Building a strong, competitive economy
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places

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

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

Parish Council

2nd April 2019 - No objection providing the neighbours are happy but if not then please let us know their reasons and we will reconsider.

Building Control

3rd April 2019 - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Gloucestershire Centre For Environmental Records

10th April 2019 - Report in documents tab

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	6
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1** Six letters were sent to neighbouring properties and one response was received in objection to the proposal. The concerns raised from the neighbouring property (no. 8 Greatfield Lane) relate to potential overlooking.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations for this application are the impact of the works on the character of the existing property and surrounding area, together with any impact on neighbouring amenity.

6.3 The site and its context

- 6.4** The site is located at the southern end of Carmarthen Road in close proximity to the junction with Greatfield Lane. As such, the site is bounded at the rear by no. 8 Greatfield Lane which runs at a 90 degree angle with the application site. The area is predominantly residential in character. The property itself is a two storey dwelling dating from the 1960s / 70s which benefits an existing two storey side extension.

6.5 Design and layout

- 6.6** The Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (JCS) notes in policy SD4 how development should positively respond to and respect the character of the site and its surroundings. This is supported through Local Plan Policy which requires extensions to not harm the architectural integrity of the building.

- 6.7** The Local Authority has adopted Supplementary Planning Document (SPD) for residential alterations and extensions. This notes how extensions should play a supporting role and not dominate or detract from the original building, whilst dormer windows should be set within the roof.

- 6.8** The application proposes a small extension to the existing front porch. This will be a continuation of the existing structure, increasing the width by approximately 1.2m and utilising the same materials. The front porch extension is not considered to have any unacceptable impact on the existing property.
- 6.9** The existing conservatory to the rear of the property will be removed and replaced by a single storey extension spanning the full width of the property. The extension will extend approximately 3.2m in depth with a lean to roof that measure 3.4m in height and have an eaves height of approximately 2.1m. This will be brick built with a warm conservatory roof structure. The rear extension is considered to play a supporting role to the existing property and will sit comfortably within its surroundings.
- 6.10** In addition to these extensions, the applicant is also seeking permission for a rear dormer in order to facilitate a loft conversion. The dormer would span the majority of the roof with a slightly recessed section to the middle which helps break up the mass. In order to give the dormer a slightly more contemporary appearance the application proposes dark grey composite cladding.
- 6.11** An important fall-back position when considering this element of the application is permitted development and what could be constructed without planning permission. For a semi-detached dwelling such as this, a dormer could be constructed provided the increase to the volume of the original roof space does not exceed 50 cubic metres. The proposed dormer window, together with the roof space of the existing two storey side extension, will provide a volume increase of 56 cubic metres. Had the dormer been marginally smaller, and the materials been of a similar visual appearance to the existing roof, the dormer would be considered permitted development.
- 6.12** Given this fall-back position, it is officer's view that the proposed dormer will not have a harmful impact on the character of the existing dwelling or its surroundings. Considering what the applicant could achieve under permitted development, the form, scale and design of this proposal is deemed to be acceptable.
- 6.13 Impact on neighbouring property**
- 6.14** JCS Policy SD14 and Local Plan Policy CP4 both require development to not cause harm to the amenity of adjoining land users and the locality. Two of the five basic design principles within the SPD relate to neighbouring amenity - maintaining privacy and ensuring adequate daylight.
- 6.15** The proposed porch and rear extension are not considered to have an unacceptable impact on neighbouring properties and will not cause a loss of light or privacy; neither will they have any overbearing impact.
- 6.16** One objection from the neighbour to the rear of the application site (no. 8 Greatfield Lane) has been received raising concerns over the proposed dormer window and a potential loss of privacy. As well as the application site this neighbouring property has also been visited as part of the process. The proposed dormer window will face towards a conservatory and outdoor amenity space of no. 8 which due to the site arrangement runs parallel to the rear boundary.
- 6.17** When considering a potential loss of privacy, the planning authority uses the following minimum distance of 10.5m from window to boundary. Although the proposal is on the limits of acceptability it does comply with this, measuring a distance of 11.5m to the boundary. As previously discussed in section 6.11 above, an important consideration is what could be constructed under permitted development and a dormer could be erected in this location without planning permission which would have a similar impact on neighbouring properties.

6.18 Given these points, and whilst It is acknowledged that the proposal will be visible and have an impact on no.8 Greatfield Lane, it is not considered that this will be to an unacceptable level. Subsequently the proposal would be in accordance with Policy SD4 of the JCS and Local Plan Policy CP4.

6.19 Environmental Impact

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 In conclusion, the application is considered to be in accordance with the policy requirements of the JCS, the Cheltenham Local Plan and advice contained with the SPD and the NPPF. The recommendation to Members is therefore to approve this application subject to the conditions 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.

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.

Approved Plans

Reference	Type	Received	Notes
634.01.	OS Extract	29th March 2019	

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APPLICATION NO: 19/00634/FUL		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 30th March 2019		DATE OF EXPIRY : 25th May 2019	
WARD: Up Hatherley		PARISH: UPHATH	
APPLICANT:	Mr Kelvin Jones		
LOCATION:	43 Carmarthen Road, Cheltenham		
PROPOSAL:	Front porch. Single storey rear extension. Loft conversion with rear dormer.		

REPRESENTATIONS

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

8 Greatfield Lane
 Up Hatherley
 Cheltenham
 Gloucestershire
 GL51 3QG

Comments: 18th April 2019

We recently received a letter about a planning application ref: 19/00634/FUL. We are very concerned about the impact of the rear dormer on our privacy. Would it be possible for you to visit our property to confirm or reassure us?

The angle of our property to the proposed extensions means it is unlikely there will be other objections as we will shield the view for our neighbours.

Comments: 23rd April 2019

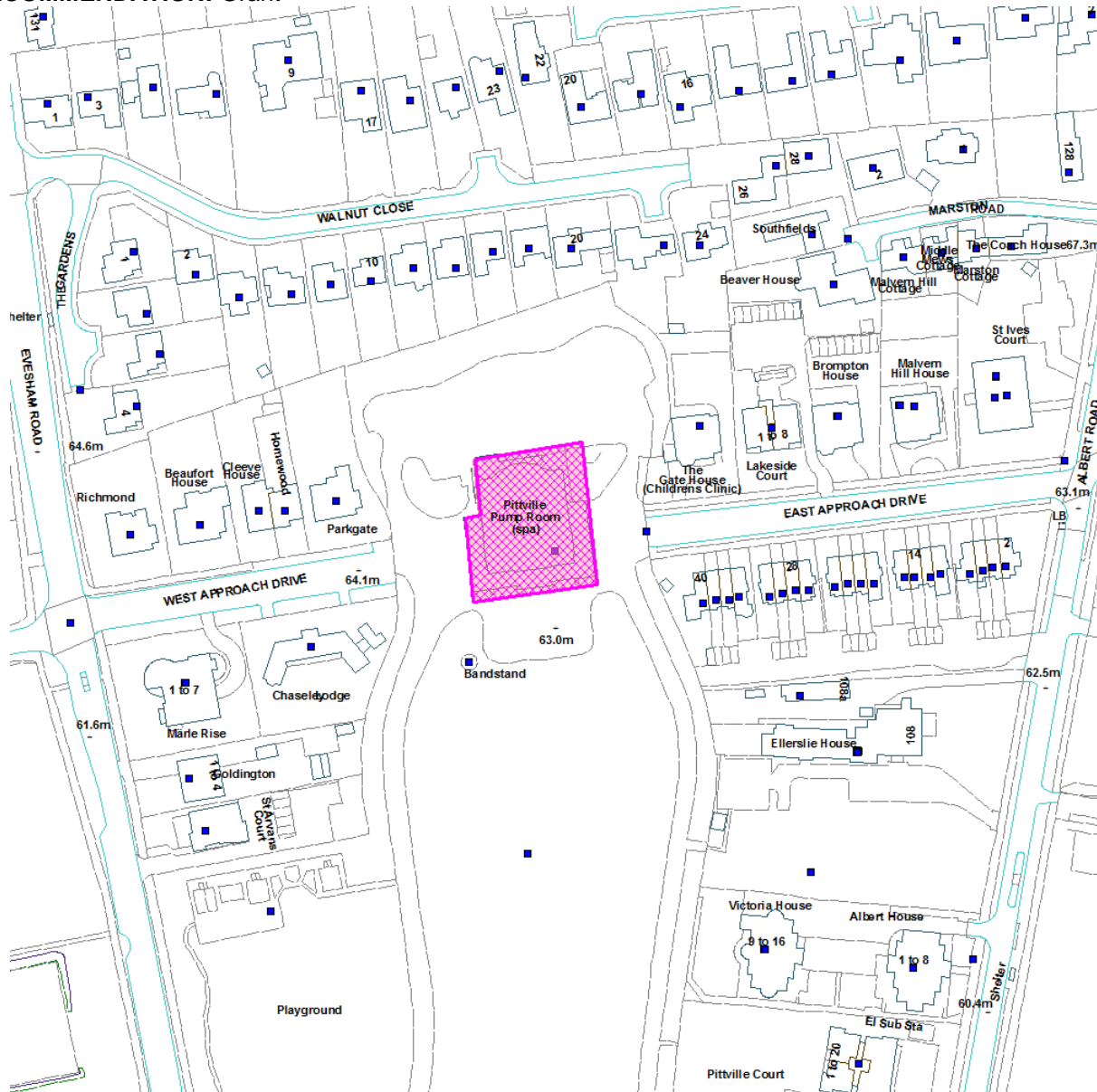
I wish to object to the 'rear dormer' element of this planning application. The windows of this proposed additional loft conversion will directly overlook our living room and garden therefore compromising our privacy. Although the plans do not propose to add additional height above the current roof line, the effect of bringing the dormer out towards our property will feel overbearing.

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Planning Committee Officer Report

APPLICATION NO: 19/00485/LBC	OFFICER: Mr Chris Morris
DATE REGISTERED: 9th March 2019	DATE OF EXPIRY: 4th May 2019
DATE VALIDATED: 9th March 2019	DATE OF SITE VISIT: 12th April 2019
WARD: Pittville	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Property and Asset Management
LOCATION:	Pittville Pump Room East Approach Drive Cheltenham
PROPOSAL:	To remove asbestos cement promenade tiles from the flat roof to the rear of the Pittville Pump Rooms 1960 extension, repair existing asphalt covering and overlay with liquid applied waterproof membrane colour to match existing, renew 10 nr circular skylights using white GPP to match existing profiles, with triple skin polycarbonate skin to adjacent existing leads and copper flashings to suit

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Pittville Pump Room is a grade I listed building and is the principle building within Pittville Park, a grade II registered park and garden. The site is also within the Central Conservation Area: Pittville Character Area.
- 1.2 Pittville Gardens form the centrepiece of the wider Regency estate of Pittville on the outskirts of Cheltenham. Designed by Richard Ware for Joseph Pitt, it was laid out 1825-42 to provide walks for those taking the waters at Pittville Pump Room and for those living in the estate. Pittville Pump Room was built as park of Pittville Gardens in 1825-30 for Joseph Pitt, by the architect John Forbes. It is a square, two storey ashlar building in the Greek Revival style, based on engravings of the Temple of Illissus, near Athens. The east, south, and west sides are faced by Ionic columns. The main, central entrance is in the south face of the building, the main roof is of slate and has a central copper dome. The north rear face of the building has a 1960s single storey extension, its roof is of asbestos cement tiles and asphalt, obscured by a parapet roof.
- 1.3 The proposed works are to remove the existing asbestos cement tiles, repair the existing asphalt covering and overlay with a liquid applied waterproof membrane and to replace the existing no. 10 circular skylights. The works are required because the existing materials are life expired.

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

17/00183/CLBW 20th February 2017 CERTPU

Upgrade existing doors to fire doors

18/02136/LBC 21st December 2018 GRANT

Replacement of third decayed timber to dome at top of building with new.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

Adopted Joint Core Strategy Policies

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Central conservation area: Pittville Character Area and Management Plan (July 2008)

Other

4. CONSULTATIONS

Building Control

28th March 2019 - No comments to be made.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 An advertisement was in the Gloucestershire Echo and a site notice was placed near the site.
- 5.2 No comments have been received.

6. OFFICER COMMENTS

- 6.1 Given the significance of the affected heritage assets, which include, the grade I listed Pittville Pump Room, the grade II listed park and garden Pittville Park and the Central Conservation Area: Pittville Character Area, careful consideration will need to be given to the impact of the proposed works. The policy context for this consideration is set out below.
- 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** A core principle of the National Planning Policy Framework 2018 (NPPF) is heritage assets should be conserved in a manner appropriate to their significance. Chapter 16, 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.
- 6.4** 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.
- 6.5** 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.”
- 6.6** The proposed works relate to minor repairs, designed to have a very similar appearance to the existing materials. Visually the appearance of the proposed works would be little different from the existing and therefore could said to sustain the existing appearance.
- 6.7** It should also be noted, the proposed works are located on a flat roof behind a parapet, on a discreet rear elevation of the building, which is located within a public car park. The works are largely obscured and as result would not be prominently visible from Pittville Pump Room nor the wider setting of Pittville Park.
- 6.8** The proposed works are considered to sustain the affected designated heritage assets and therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is recommended the application be granted with conditions.

8. CONDITIONS / INFORMATIVES / REFUSAL REASONS

- 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.

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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