



# CHEL TENHAM

## BOROUGH COUNCIL

### Notice of a meeting of Planning Committee

**Thursday, 20 June 2019  
6.00 pm**

<b>Membership</b>	
<b>Councillors:</b>	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 5 - 20)
6. **APPLICATIONS**
  - a) **19/00204/FUL Car Park, Chester Walk** (Pages 21 - 48)  
[Planning application documents](#)
  - b) **19/00611/FUL Glenfall Farm Stables** (Pages 49 - 74)  
[Planning application documents](#)
  - c) **19/00745/FUL 56 Merestones Drive** (Pages 75 - 86)  
[Planning application documents](#)
7. **ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND REQUIRES A DECISION**

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**Planning Committee****28<sup>th</sup> May 2019****Present at the meeting**

Councillor Garth Barnes (Chair)	Councillor Mike Collins
Councillor Paul Baker (Vice-Chair)	Councillor Karl Hobley
Councillor Louis Savage (Reserve)	Councillor Paul McCloskey
Councillor Diggory Seacome	Councillor Tony Oliver
Councillor Victoria Atherstone	Councillor Simon Wheeler
Councillor Bernard Fisher	Councillor John Payne
Councillor Dilys Barrell	Councillor Rowena Hay

**Officers in attendance**

David Oakhill (Head of Planning), Craig Hemphill (Principal Planning Officer), Michelle Payne (Senior Planning Officer), Nick Jonathan (Legal Officer).

**14. Apologies**

Councillor Cooke – Councillor Savage substituting; Councillor Hegenbarth

**15. Declarations of Interest**

Councillor Seacome - 18/02053/FUL 48 Swindon Road – is a friend of the applicant. Will leave the Chamber during the debate.

Councillor Barrell – 19/00431/FUL Monkscroft Villas – her son works for CBH but she has not discussed the application with him in any way, and is not even sure if he would have any involvement in it.

**16. Declarations of independent site visits**

Councillor Savage – Land and Garages at Alfred Way  
Councillor Hobley – 48 Swindon Road

**17. Public Questions**

None.

**18. Minutes of last meeting**

Councillor Barnes was not present, but Members were happy for him to sign the minutes as a true record of the meeting.

**19. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications – see Main Schedule****20. 18/02053/FUL - 48 Swindon Road, Cheltenham****Officer introduction:**

DO introduced the application with a short presentation, setting out where consideration of the application was left last month, the key issues, and what has been done since. The proposal is to demolish the existing building and erect nine new dwellings, with bin and cycle storage; no parking is proposed on site. Reviewing April's minutes, Members were concerned with three issues – parking, highway safety, and bike and bin storage.

Regarding car parking, the proposal doesn't include any; it is situated in Zone 11 which has 824 spaces for which CBC has issued 1005 permits – a permit doesn't guarantee a parking space. Bike parking is provided on site. CBC has no parking policy requiring any level of parking on site, and there has been no objection from Gloucestershire Highways, who regard this as a highly sustainable location.

Regarding vehicle manoeuvring on Normal Terrace, the area adjacent to the garages, currently used by residents on site to reverse and turn, is convenient but privately owned, and its use could be limited at any time. Highways officers have raised no objection on safety grounds; the visibility splays were discussed last time, and although the proposed dwellings occupy more of the site and are closer to Normal Terrace, they are also more set back. A verbal discussion with County Highways officers has confirmed that they have no objection to the visibility splays created as a result of the development.

Regarding the bin and bike stores, the bin store has been enlarged since the last planning committee, to provide space for two 1,100/ bins. The refuse requirement is one bin for six apartments, so this provision is more than sufficient. With a condition to ensure storage for ten bikes, officers consider bin and bike storage to be adequately covered.

The recommendation is to permit.

### **Public Speaking:**

#### **Neighbour, in objection:**

Members will have read the many objections, including those from a solicitor, a barrister and a town manager. In response to members' concerns last month about visibility and highways safety, highways officers have reiterated a lack of concern. They do not appear to have visited the site, and describe Normal Terrace as a minor road. The case officer stated that the building will be set further back, but it will also be further east, blocking the sight-line and giving pedestrians and drivers less chance of seeing each other. The highways authority has stated that it is not the responsibility of developers to improve matters, just not to make them worse. To say this proposal will have no impact on a small street is ridiculous when it is obvious to any reasonable person that it will; residents will consider judicial review if the application is permitted in its current state.

Regarding loss of amenity, it is clear that the developer has not listened to residents. Last month, the agent assured the committee that the proposal is well designed, but this created a misleading impression, when the conservation officer has objected the scheme, his comments rejecting it taking an entire page of the report. The site is part of the Lower High Street character appraisal area, and in 2008 was considered to make a positive contribution to the area. It is not for the planning officer to regrade it as neutral.

Called upon committee to refuse the application.

#### **Nathan Maddox, of SFP Planning, in support**

Following the debate last month, and further clarification from the highways authority, the applicant is happy to accept the condition for 10 bike spaces. Revised plans

since the last meeting include further bin storage; the provision is now sufficient, and the applicant is willing to accept the condition bin storage

Has heard the public concern regarding access via Normal Terrace, but this is private land, and there is no planning or legal requirement to keep the area free of development.

The demolition of the existing buildings, which are detrimental to the conservation area, will make way for this well-designed scheme – the conservation officer's response confirms that he considers the proposal acceptable. The provision of one, two and three-bed units will help with the local housing supply, in line with the principles of the NPPF, all of which create strong planning justification to support the application.

### **Councillor Brownstein, in objection**

The application was deferred last month due to parking and safety concerns. The response provided by highways officers was not felt to be detailed enough, and further detail was requested. There are currently not enough parking spaces in the area, and this proposal would add residents without creating any further parking. There are also highway safety concerns, arising from motorists having to reverse out onto Swindon Road, putting themselves, other motorists and pedestrians at risk.

Highways officers have commented that parking permits do not give residents the right to park in front of their houses, although Zone 11 is already oversubscribed. There is no further comment on the road safety issue. It is annoying that no highways officers are present to address members' concerns, and would question whether they have even visited the site, particularly during the rush hour? Were they asked to comment on the safety element? It appears that they didn't read the minutes, because safety concerns have not been addressed, and with no highways officers here tonight, Members cannot consider the matter further. The decision should be deferred again, until highways officers come to the Chamber and explain their recommendation to permit. It is obvious that this will worsen daily lives of local people; met with almost half the residents of Normal Terrace yesterday, and many are present at tonight's meeting. They have the right to expect the council not to make decisions which will worsen their lives. This development will exacerbate problems.

There is insufficient space for existing bins, and to say there will be no adverse effect on local infrastructure is wrong. Residents recognise that this is a valid site to develop; they want it to happen, but not to be detrimental to them.

It is a Catch 22 situation regarding parking and turning on private property; can the committee make a decision which forces people to put themselves in danger? With highways officers not here to defend their comments, would suggest there are at least as many reasons to reject the proposal as last time.

### **Member debate**

**MC:** was present at last month's meeting and raised concerns over highway safety. Understands that DO has been in contact with highways officers, but were they asked to attend tonight? Takes Councillor Brownstein's comments very seriously – how can Members determine the application fairly and properly if the professional

body requested to be present is not at the meeting? Is minded to ask for further deferral.

**PM:** refers members to Appendix 2, the contribution from highways to the case officer, which appears to give considerable weight to the proposal being a car-free development in a sustainable area. Is curious to know if there is any legislative underpinning for car-free sites? Is it included in the conditions of sale? How is it enforced? If it is enforceable, is bemused as to why highways officers think it has any significance.

Also notes in Paragraph 6.16 on Page 90 of the agenda papers, concerning a different application, consideration of the high standard of amenity to be maintained, with no unacceptable harm being caused to adjoining land users and the locality, and high-quality design secured for existing and future occupants of the land, in line with the NPPF. Why is there no such paragraph in this report, and what is meant by impact on locality?

**DO, in response:**

- highways officers were invited to attend tonight's meeting, but it would not be fair to penalise the applicant because a third party is not present;
- 'Car-free development' is not a technical term; it simply means that no car parking is provided on site and it is therefore free of cars;
- To PM, the NPPF test applies to all applications.

**SW:** shares other members' concern about the lack of provision to get out of Normal Terrace. Realises it is not the job of the applicants to provide a turning point, but feels it wouldn't be impossible for them to have made a small concession to enable this to happen, even if it was basically at the front of the building where there is currently the gateway so people could reverse out. It isn't Committee's job to redesign the application but it wouldn't be impossible to re-jig things.

As a main point, however, as last time, feels this is gross over development - although unfortunately the use of this objection as a valid refusal reason has been taken away over the years. Cannot support the proposal but doesn't have strong enough reasons to vote against - will do if someone proposes good reasons to refuse.

**VA:** is the bin store for general waste or for general waste and recycling?

**DO, in response:**

- space is to be provided for two large bins (or four smaller ones); the space will be for general waste and recycling.

**VA:** two very large bins will not be suitable for recycling as well. Regarding car-free developments, this is forcing people to say they will not have cars when the reality is they will – it is not realistic. The council should be encouraging transport modal shift.

**GB:** when a development is advertised as car free, it assumes that if residents have cars and want to park, they will have to find other places – it is not saying they cannot have a car, just that they can't park outside their home.



**JP:** also has issues with the highways report, not least because it is unprofessional in content. There is a misinterpretation in the highways letter included in the agenda – it states that the development is to be car free as in revision E of the drawing, but the drawing says nothing about car-free development, just that car parking spaces have been removed.

In the latest revision of the drawing, there is space on either side of the semi-detached houses for one car – what will prevent the owners from parking there? Looking at the wider picture, the inclusion of the two semi-detached houses adversely affects the amenity of residents in Normal Terrace – they have no option but to reverse off Swindon Road onto Normal Terrace or to reverse out. Either way is dangerous and should not be contemplated.

Overall, quite likes the look of the apartment block, though there seems to have been a battle between the conservation officer and planning officer over the existing building. Sadly, although the structure of former Enterprise building has historic content, it has been ruined by unsuitable additions over the years - which comes down to planning – and doesn't contribute to the street scene. But the two semi-detached houses have an adverse effect on Normal Terrace residents; cannot therefore support the proposal.

**DB:** agrees; we have to be aware that we are going to lose something which, without modern additions, is a positive building according to the conservation officer. We should take this into consideration. Has major concerns about parking; following the development, it will be necessary to reverse onto the main road. This is a historic problem – the applicant is not responsible for it – but the reality is that this will cause a dangerous situation. Was also hoping GCC would be here, to ask them if they consider reversing out onto busy road to be safe. If actual planning can't have an effect on this dangerous situation, would ask GCC to look at one or two suggestions made in residents' letters – such as introducing traffic lights to help people out, or using land close by for parking. It is a terrible situation and a terrible dilemma. Doesn't want to agree to a proposal which will require people to reverse out, though realises this situation has nothing to do with us. The situation exists, and highways officers should take it seriously.

**BF:** proposed deferral last time and hasn't changed his mind. Highways officers clearly say this is to be a car-free development – but this means nothing, as there is no legislation to enforce it. Understands there is a blue badge holder resident in Normal Terrace. Zone 11 is big, and residents of the nine new properties could all apply for permits – doesn't know whether this is sustainable but the area appears to be oversubscribed by a reasonable amount at peak times.

DO said there are currently 1005 permits and 824 spaces – this is not good – and taking away land currently used for turning and driving out will put people in a position they are not in today. Is thinking about sustainability – the 'golden thread' running through the NPPF - and whether this site can sustain people living in the apartments and in Normal Terrace – doesn't think so.

We need highways officers at the meeting to answer questions. They have provided information on the number of parking spaces, but not about visibility. At Greenhills Road and Kings Welcome on Harp Hill, highways officers objected to the applications because of lack of visibility splay, yet those roads were not as narrow or

as busy as this one – this is inconsistent. We need officers who can answer questions – we rely on their information and have asked important questions yet they have not come back adequately. Would therefore suggest deferral again until the highways officer can be present. With the right information, members can make the right decision, but they are not experts.

**DO, in response:**

- regarding bin storage, there is space for a multitude of different types, though the developer proposes two large ones. Officers are happy with the provision of recycling and general refuse space;
- the description of the development as 'car free' is an unfortunate choice of words; residents may well have cars but they will need to park them elsewhere;
- following last month's deferral, members need to take note of two things: the provision of bike storage – space for 10 bikes is shown – and the applicant is happy for this condition to be added; and the highways response on 23<sup>rd</sup> April highlights the high sustainability of this site, with links to employment areas, regional and national buses and trains – together with the bike storage, these are real alternatives to private cars;
- although GCC officers are not present, they have raised no objection, despite being asked twice to comment on visibility splays. If the decision is further deferred, the applicant could appeal to the Planning Inspectorate for non-determination; this could incur costs and members need to bear it in mind.

**MC:** earlier in the meeting, the officer commented that the applicant cannot be penalised for the failure of highways officers to attend the meeting, but members have to make the correct determination, and they cannot do that unless the officer who can deal with their main objections is present to answer those objections. Members have been talking for over half-an-hour and are going round in circles – coming back to the same questions with no-one to answer them. Members cannot determine the application correctly without the proper officer support to do this. Is minded to defer until highways officers are present to answer members' very valid questions. Members are here to represent the people of Cheltenham in making valid decisions.

**GB:** we cannot force officers to be present; in their view, they have provided an adequate and appropriate response. We could defer and ask them to comment again but this would be going round in circles.

**KH:** agrees the debate is going round in circles, and won't repeat points already made. Like Councillor Brownstein, is a member for St Pauls and knows Normal Terrace quite well – a very attractive and historic street. Would be sad if a decision taken by us or others dramatically changes life for people who live on that street and currently feel ham-strung. Very much senses that colleagues have sympathy with their objections, but are struggling to find legitimate reasons to refuse.

Doesn't feel he can support this application at the moment. Strongly supports new homes – they are needed in Cheltenham, particularly on a brownfield site – and is instinctively torn, but represents the area and its residents, who are very clear about what they think and how their quality of life stands to be damaged if this goes ahead. Something needs to be done with this site, but highways officers have not adequately addressed the issue of turning and reversing onto Swindon Road. Realises the application cannot be turned down on lack of parking – this is not in the Local Plan – but the county response is simply that no-one has the right to park

outside their house – we already know that. Reversing onto a busy road is not safe. Acknowledges the original comments from the conservation officer – as noted by Councillor Payne and also the public speaker – and as members know, historic buildings are his favourite topic; however, any historic significance of this building has been diminished by the passage of time, and this is therefore not a strong enough case to make that argument.

The only way forward is to address the issue of vehicle movement on the site and the current usage of private land as a turning space. What is going on at the moment may not be the residents' right but has become common practice over time; no-one should be penalised for that, but equally the applicant cannot be forced to retain that land because existing residents have been using it in such a way. It may be necessary to appeal to the applicants in the spirit of good will and neighbourliness to address concerns and come up with a design which will allow safe movement for existing and future residents. They can at least show that alternatives were considered, although this must be weighed against the cost of trying to develop an awkward site.

**PB:** congratulates KH on his contribution which hits the nail on the head. It is sad when applicants come forward with schemes which show no sympathy with adjacent neighbours, intent on maximising profit without a care for anyone else. Anyone can see that the impact will be negative, no matter what highways officers say – there is no question. Is it good planning to condone a dangerous highways situation? It is not just residents, but also every visitor/van/delivery vehicle etc which will have to reverse out – it will be an absolute nightmare and an accident waiting to happen. How can the applicants not see that this will happen – has it been discussed with them? If they were to leave a small area to turn – which would be good neighbourly practice - could actively support the proposal.

The concern about highways means that other issues have not been addressed. The Architects' Panel had concerns about the design, in particular the west elevation which is a blank wall. The main road frontage is a sea of windows – the entrance should be there. The design would then be improved, but the comments of the Architects' Panel could be taken on board – conservation is crucial and this was an important building in the town and could be again. Was any attempt made to preserve the building? Expects not, as maximising profit is the main motive; agrees that housing is needed, but at what expense? Is not sure if another deferral is the right thing; the safety issue is the main concern and could be revisited by the applicant, but conservation, loss of amenity and poor design could all be included as refusal reasons.

**BF:** would like guidance on how the person with the blue badge will cope. Are highways officers aware? That person cannot park anywhere in Zone 11, so to say the proposal will cause no harm to living conditions isn't the case, for that resident and for others getting in and out with shopping etc. County Highways hasn't even proposed a 'Keep Clear' sign at Normal Terrace. The environmental health officer is concerned about pollution and noise in Swindon Road – one of the worst areas in town – and the extra traffic will add to this. Calling the proposal a car-free development is ridiculous jargon.

**GB:** senses that Members are moving towards a proposal to defer again; will invite DO to clarify issues raised.

**DO, in response:**

- further deferral is an option if members can agree on specific questions on transport. As stated earlier, officers cannot force highways officers to attend the meeting. If highways concerns are the only key issue, perhaps members can come up with five questions which the Chair and Vice-Chair can take away, and report back to the meeting next month;
- if members have broader concerns, they should remember that the role of the committee is not to redesign a scheme but to decide on what is in front of them. It would not be appropriate to defer for a redesign of the scheme; that work has been done. Deferral would only be appropriate as above but not if concerns are broader.

**GB:** senses that most concerns are around safety aspects and parking, which highways officers have not answered specifically. Does not have the impression that there is general problem with application other than those particular issues. MC proposed further deferral early in the meeting, and it is the officer's suggestion the members formulate some specific questions to be put to county officers, and hopefully get meaningful responses to bring to the next meeting. Failing this, alternative actions can be considered. Are members happy with that suggestion?

**PB:** members should also request that further conversations with the applicants are held before the next meeting.

**MC:** proposed deferral, but the officer's suggestion regarding questions for the county is based on members being happy with every other aspect of the proposal – which they are not. Other concerns have been stifled by transport issues. Is not sure that deferral specifically on highways grounds is the best move; PB has suggested giving the applicants the chance to discuss certain aspects further, and these issues should also be included.

**GB:** we are muddying the waters here; either the application is not worthy of approval because of PB's suggestions of issues separate to parking and safety, or members take the move to defer on the basis of getting the highways information they require. Doesn't want an hour-long debate on whether more issues should be included, and once a decision has been made, we cannot start adding more reasons at a later date.

**PB:** would suggest there are a number of areas to look at; design hasn't yet been discussed. Deferral could be based on specific questions to GCC, and also further discussion with the applicants to see if they will consider amendments in response to residents' concerns, and also address the current design in response to the comments of the Architects' Panel.

**GB:** members are now throwing everything in air and hoping something will come out. We cannot defer to ask applicants to look into various aspects of the proposal – this isn't a proper planning method. We have to make a deferral decision clearly, either requiring answers to specific highways questions, or refuse because the applicants have not supplied enough reason to approve, and look for grounds for that

**DO:, in response:**

- members are talking about two very different things now. One is a set technical questions to the county council, requiring technical advice; the other is straying into a broader field, including subjective issues around design etc. The role of the committee is to determine applications, not redesign them. Deferral on technical issues would be appropriate, but if members are challenging the heart of the application, they need to make a decision.

**PB:** recalls an application at Lansdown Road which was deferred due to the Architects' Panel's concerns about design – the applicants subsequently came back with a better design. Why is it not appropriate? It's better to give the applicants the opportunity to redesign their scheme rather than refuse outright. It seems a legitimate course of action, and if no changes are made, members an consider it again next time round.

**DO, in response:**

- is new to the authority, but speaking from experience, has not seen an application deferred for that range of reasons before. The concerns expressed by committee would need a redesign of the whole scheme;
- to summarise members' concerns: these are the impact on the conservation area of the loss of the original building, design, and the impact on residential amenity. These are significant, and to overcome them would require a redesign of the entire scheme. The role of committee is to determine the proposal in front of them.

**PB:** in this case, will move to refuse on loss of amenity, design issues, and concerns regarding highway safety.

**BF:** would suggest inclusion of sustainability – the NPPF's golden thread. The highways issues make the proposal unsustainable.

**MC:** in view of this, will withdraw his move to defer.

**Vote on officer recommendation to permit**

0 in support  
 11 in objection  
**2 abstention**  
**Not carried**

**PB:** will therefore move to refuse as stated, with the Chair and Vice-Chair to agree with officers the precise wording of the refusal reasons, as discussed at tonight's meeting.

**Vote on PB's move to refuse, as above**

11 in support  
 1 in objection  
 1 abstention  
**REFUSE**

**21. 19/00431/FUL - Monkscroft Villas, Princess Elizabeth Way, Cheltenham**  
**Officer introduction**

CH introduced the application as above, situated in Princess Elizabeth Way in West Cheltenham, currently occupied by a residential two-storey terrace of three empty houses with gardens to the rear, together with some derelict outbuildings (part of an old council depot site) and mature trees and shrubs. It is adjacent to Pinewood Drive, a residential area of two- and three-storey properties, with green space to the south, and Hesters Way Park to the north. On the east side are four-storey flats facing Princess Elizabeth Way. The application proposes demolition of all the existing buildings and construction of two four-storey apartment blocks to the south side (18 x 1-bed and nine 2-bed), and two 2-bed semi-detached houses with car parking to the north. Cheltenham Borough Homes has guaranteed a minimum of 60% affordable units. The application is at committee because CBH owns the lands. Two sets of revised plans have been provided, to address highways concerns and general layout and design issues. The recommendation is to permit.

As an update, having studied to plans at length, a small correction is needed – there is a slight anomaly due to the scale being slightly different. Refers members to the dimensions set out in paragraph 6.8 on Page 62 of the report – 5.8m should be 7m, and 10m should be 13m – setting the building further from boundary.

Similarly, at paragraph 6.16, 5.8m should be 7m, 10m should be 13.4m, 19.5m should be 24.4m.

### **Public speaking**

#### **Alison Salter, on behalf of Cheltenham Borough Homes**

This redevelopment began 12 months as part of a wider programme to make best use of council assets to provide much-needed affordable housing in the borough, There are currently 2500 people on waiting list, 2000 of whom need 1-2 bedrooms. The proposals provide a mixed tenure scheme, of 20 affordable rent flats, five private rented flats, and two shared ownership houses.

There is a significant need for this type of housing, and throughout the pre-app and planning process, CBH has responded to the sensitivities of the site, including the relationship of the proposed flats with existing dwellings, landscaping and parking considerations. CBH has tried to overcome concerns of residents of Pinewood Drive, by amending the plans twice, resulting in the loss of two dwellings, thus allowing the block of flats to be stepped back from Pinewood Drive. Window detailing has also been amended, the roof terrace reduced in size and repositioned to front Princess Elizabeth Way, to retain privacy of adjoining dwellings. Apologises for the errors in the report with the scale of the drawings – will review this with the architect and update the plans accordingly

CBH engaged an arboriculturalist to work with the senior trees officer in reviewing the proposed landscaping strategy. This is currently out to tender for a landscape architect, and a detailed plan will be discussed and agreed with CBC in due course. Concerns with parking provision are noted, particularly in relation to the proximity of the site to GCHQ which causes additional pressure. CBH has a strong housing management presence in the area, and will manage the parking through installation of bollards or a secure controlled vehicular gate to ensure that parking spaces are only used by residents.

Notes that the Civic Society comments in the officer report, but in a separate discussion and presentation, the Civic Society representative praised the scheme for its architecture, flexibility, layout, mixed tenure and environmental provision.

In summary, this is a deliverable, policy-compliant scheme, predominantly for affordable housing, which has the support of the case officer and statutory consultees.

#### **Member debate**

**SW:** understands that it is not normal to speak in favour of an officer recommendation, but is very familiar with this site which is situated in his own ward. Members will know that he has commented many times that the Pinewood Drive estate is an excellent example of how *not* to design a site, but by contrast, has always been impressed by the CBH developments in his ward and has total confidence in the applicant. This is really good use of the land, and will therefore be voting wholeheartedly in favour of the application.

**BF:** referring to the details of CH's introduction, on planning view, stood in the garden in Pinewood Drive – had recollection that new building would be 13m from there back?

#### **CH, in response:**

- yes, 13.8 m set back.

**PB:** this is a fantastic and much-needed scheme - congratulations to the architect and to CBH. Notes that some trees may be lost which is regrettable, but that there will be a condition to ensure a soft landscaping scheme and replacement trees.

**MC:** agrees that this is a good scheme, likes the design and the addition of much-needed housing in that part of town. Has just one slightly negative point – is concerned about the errors regarding the dimensions and percentages – this is particularly important with regard to affordable housing. Applicants need to be sure to have the correct information before coming to committee to debate.

#### **Vote on officer recommendation to permit:**

14 in support – unanimous

**PERMIT**

## **22. 19/00423/FUL - Land and Garages at King Alfred Way, Cheltenham**

### **Officer introduction**

MP introduced the application relating to a site on King Alfred Way, close to Hales Road junction, which until recently accommodated 14 lock-up garages. In 2018, permission was granted for the redevelopment of the site, to provide four 2-bed dwellings with associated car parking and landscaping. This has been implemented and construction is under way. In February this year, an application for a revised scheme was submitted to provide an extra floor of accommodation on Plots 3 and 4 to the rear of the site; permission has been implemented, and provides both dwellings with an additional bedroom and en-suite. The current application is similar, seeking planning permission for a second floor to Plots 1 and 2 at the front of the site. This is the only consideration in this application, and members should be looking at acceptability regarding design. It is at Committee at the request of

Councillor Babbage due to local residents' concerns. Officers are content that it will result in no loss amenity, and the recommendation is to permit, with conditions.

### **Public speaking**

#### **Neighbour, in objection**

The JCS states that the need to integrate new development well with the existing communities, have regard for the character of the area, and cause no unacceptable harm to neighbouring amenity. The objections to the addition of another floor to these dwellings show that this proposal fails to comply with the JCS. The building would loom over and dominate existing homes and gardens; its overbearing height will be oppressive, and it is wrong to say these are not considerations when there is no slide-rule for judging these matters. In addition, the properties stand up a slope from the existing houses, making the additional floor, in effect, at least 3.5 storeys high. The dark render not in place when committee members visited the site – is oppressive. Neighbours have valid concerns about loss of light, although this issue is dismissed by the council.

The visual connect of outdoor and indoor space is a basic principle of good architecture and mental health. To approve plans which block connection to the sky from people's own rear ground floor windows is offensive and an amenity issue. There is a material difference between the former and the current proposals – the gardens are shorter gardens with no natural screening or mature trees. Loss of privacy will be an issue for many residents, and to say this is addressed by frosted glass or a 3-metre tree is derisory. The recommendation cites the council's own regulations for residential alterations as a relevant policy – interestingly these state that the alterations to residential property should be no higher than the original. It also ignores increased pressure of parking and highways safety.

The report notes that the similar proposal has progressed without great objection, but only one week was allowed for neighbour consultation on this significant change, and many neighbours were not included – this is the subject of a separate formal complaint, which is not relevant here, but neighbour experience and objections to the altered Plots 3 and 4 are highly relevant.

Hopes that members will view the matter with judgement and common sense.

### **Member debate**

**LS:** the speech by the neighbour raises the question of a reverse salami-slicing approach to planning applications – developers get permission for one thing, wait until the new build property is being underway, then subsequently apply for an additional floor to the building. This approach is somewhat out of the spirit of the planning process, allowing a development to take in several different iterations. Is uncomfortable with this, and would welcome clarification.

### **DO, in response:**

- it is fairly normal for applicants to make applications in stages – as market conditions change, or they maybe take marketing advice which results in changes to a scheme. This is not out of the ordinary, and there is nothing to stop anyone from doing it.



**LS:** turning to more general comments, agrees with the speaker, having visited the site; height of three storey as existing overbearing, out of keeping, out of character with area. Amenity value – overlooking – entirely legit and well founded.

**DB:** can officers provide clarity regarding privacy and overlooking. Notes that access to the roof area is restricted, and obscure-glazed windows which only open a certain amount are conditioned, but one resident letter says there will still be overlooking in spite of these measures. Is this the case?

**PM:** has some questions in light of comments by speaker: paragraph 6.2 on page 74 of the agenda states that 'the proposed second floor would be identical to that recently approved on plots 3 and 4, and therefore must be deemed acceptable'. Was not aware that the previous application is the subject of a complaint. Is the statement in the report correct, that this proposal must be deemed acceptable because the previous one has been approved? Where is the complaint. Is it relevant in the determination tonight?

**BF:** understands what the officer has said – has visited this site a lot over the years, and on the last visit, the development seemed reasonable so far. However, this is a piecemeal application, and with the proposal to add a third storey at the front, it's time to say enough is enough. What the officer said is relevant but we approved what we thought would be built. If the original proposal had been for three storeys, permission may not have been granted.

**MP, in response:**

- to DB, regarding overlooking – officers are satisfied there will be no overlooking from the additional floor. Obscure glazing is required by condition, and the windows at the front are well in excess of the 10.5m to the boundary that officers normally look for;
- to PM, the complaint has just been received, and talks about consultation on the previous application and description not being clear enough, but this shouldn't have any impact on the decision on this application;
- to LS, regarding the overbearing height and loss of amenity – Hales Road houses have long gardens, and there will be some loss of view of sky and tree but loss of distant view is not reason to refuse. Officers don't feel the new dwellings will be overbearing.

**JP:** on planning view, saw Plots 1 and 2, and was pleasantly surprised – they are attractive buildings, brick built to a good standard. Then moved round to view the site from a garden in Hales Road and saw the extension on Plots 3 and 4, which are now rendered in a darker shade – even when lighter thought them brutal, and out of keeping with first two. The benefit of seeing what we are considering already built doesn't normally happen, but having seen it on planning view, it is difficult to support the proposal for Plots 3 and 4 – it will be out of keeping, brutal, and overshadow gardens in Hales Road.

**Vote on officer recommendation to permit**

6 in support  
 5 in objection  
 3 abstentions  
**PERMIT**

**23. 19/00450/FUL - 8 Giffard Way Leckhampton Cheltenham****Officer introduction**

CH introduced the application for two-storey rear extension and a single storey front porch following demolition of the existing rear extension and garage. The scheme has been revised throughout the application process, reducing the projection of the rear extension and changing the roof to hipped. It is at committee at the request of Councillor Horwood, due to its overbearing nature and for being out of keeping with the area.

**Public speaking**

None.

**Member debate**

**MC:** the semi-detached garage shares a wall with the neighbouring property. Would like reassurance that this will be worked into the application, causing no damage to the garage, with the wall left in situ.

**DB:** was going to ask the same thing - hopes the developers will secure the structural integrity of neighbouring garage.

**CH, in response:**

- the party wall act will ensure a safe and appropriate outcome, and that these matters will be dealt with satisfactorily.

**Vote on officer recommendation to permit**

14 in support – unanimous

**PERMIT**

**24. 19/00634/FUL - 43 Carmarthen Road, Cheltenham - WITHDRAWN****25. 19/00485/LBC - Pittville Pump Room East Approach Drive Cheltenham****Officer introduction**

DO introduced the application to repair the roof of the 1950s addition to rear of the Pump Room, currently used as an office. It is at Committee because CBC owns the land and building. The current roof is asbestos and the skylights are failing. There are no objections, and the conservation officer, who prepared the report, is happy for the work to go ahead. The recommendation is to approve.

**Public speaking**

None.

**Member debate**

None

**Vote on officer recommendation to permit**

14 in support – unanimous

**PERMIT**

**26. Any other items the Chairman determines urgent and requires a decision****27. Local Government Act 1972 -Exempt Information**

**28. Exempt Minutes**

DO reminded members that at last month's meeting, they delayed approval of the exempt minutes from the meeting held in March, subject to DO finding out whether make clear to public that transport concerns would not be included as a refusal reason. This has been followed up with email which has been circulated to members as an exempt item.

**Vote to agree minutes:** unanimous

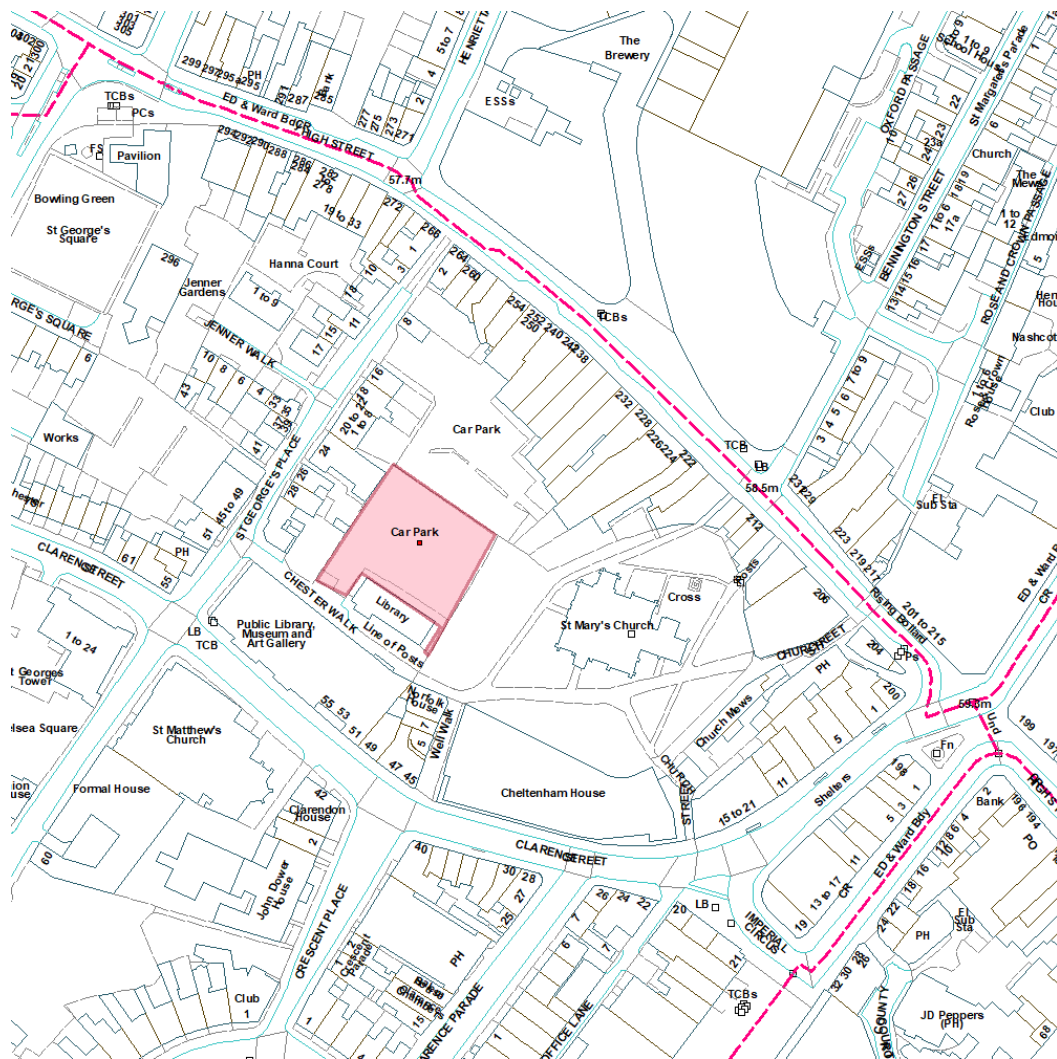
Chairman

The meeting concluded at Time Not Specified

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<b>APPLICATION NO:</b> 19/00204/FUL		<b>OFFICER:</b> Michelle Payne
<b>DATE REGISTERED:</b> 18th February 2019		<b>DATE OF EXPIRY:</b> 20th May 2019 (extended until 28th June 2019 in agreement with the applicant)
<b>DATE VALIDATED:</b> 18th February 2019		<b>DATE OF SITE VISIT:</b> 11th March 2019
<b>WARD:</b> Lansdown		<b>PARISH:</b> n/a
<b>APPLICANT:</b>	WorkShop Cheltenham	
<b>AGENT:</b>	EdgeDesignWorkshop Ltd	
<b>LOCATION:</b>	Car Park Chester Walk Cheltenham	
<b>PROPOSAL:</b>	Proposed Mixed Use Innovation Hub for the town centre	

### RECOMMENDATION: Permit



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### 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a Gloucestershire County Council (GCC) owned parcel of land, some 0.15 hectares, and is currently in use as a 62 space private car park operated by Euro Car Parks and occupied solely by GGC staff. Vehicular access to the site is provided via Chester Walk, with pedestrian access more widely available via a number of footpaths. The site is relatively tucked away, located to the rear (north) of Cheltenham's Children's Library, with flatted residential properties to west, and a car park to the north with commercial properties on the High Street beyond.
- 1.2 To the east, the site adjoins the churchyard of Cheltenham Minster (St. Mary's), a grade I listed building of mid-C12 origins, with later alterations and additions; it is Cheltenham's only surviving medieval building. Other prominent listed buildings within the immediate vicinity include the grade II listed Library, Art Gallery and Museum, and Norfolk House; additionally there are some grade II listed lamp posts and tombs within the churchyard, whilst the standing cross is a scheduled monument. The site falls wholly within the Old Town Character Area of the Central Conservation Area.
- 1.3 The proposal is for the construction of a 1,858sqm mixed-use 'Innovation Hub' comprising flexible workspaces including a 'Growth Hub' centre, a performance arena, and community and education space. A I
- 1.4 The workspace will span the ground and first floors of the development, with flexible co-working spaces, an ancillary cafeteria, back office and lockers, a reception area and central atrium provided at ground floor. At first floor, a mix of dedicated desks, private offices, meeting rooms and additional co-working areas. The focal point will be a uniquely-designed Growth Hub business support centre delivered in partnership with Gloucestershire Local Enterprise Partnership (GFirst LEP) and Creative England. The Design and Access Statement (DAS) submitted with the application sets out that the Growth Hub will help *"businesses realise their potential and grow"* and that its key aim is *"to grow the Gloucestershire economy above the national rate of growth"*.
- 1.5 The purpose-built ground floor performance arena with ancillary bar will provide a state-of-the-art facility for the town centre that will be run in partnership with Cheltenham Festivals and Music Works. It is also anticipated that the space *"will provide a platform for conferences, exhibitions and other events throughout the year that will drive foot traffic to and spend in the town centre"* (DAS).
- 1.6 The community and education space will be located on the ground floor, facing the Minster and the DAS sets out that these spaces *"are proposed to be available for the entire local community and will be supported by Cheltenham Festivals, Music Works, Marketing Cheltenham and Cheltenham BID amongst others. The performance and education spaces will also support the Talent Development and the newly formed Educational Partnership initiatives led by Cheltenham Festivals"*.
- 1.7 A small second floor extension will include a 'laboratory' for prototyping and 3D printing, and further meeting spaces.
- 1.8 Bin storage facilities, 28no. secure and covered cycle parking spaces, and 4no. car parking spaces, two of which will be disabled bays, will also be provided within the site.
- 1.9 The development will be created using recycled shipping containers, and modular components such as a staircase and lift core, steel structural wall and roof frames, and bespoke modular roof lights. The proposed shipping containers would be single trip containers which are typically manufactured in the Far East and used to carry goods on one trip to the UK.

- 1.10 The application is at committee for reasons of transparency given this Council's interest in the land.

## 2. CONSTRAINTS AND SITE PLANNING HISTORY

### Constraints:

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

### Planning History:

<b>05/01170/DEEM4</b>	<b>REFUSED</b>	<b>2nd November 2005</b>
Erection of 24 residential flats, apartments and mews cottages and internet café		

<b>07/01126/FUL</b>	<b>REFUSED</b>	<b>28th July 2008</b>
New build mixed use complex comprising 14 apartments, 8 office units and 1 cafe and underground parking (revised plans)		

<b>08/00158/DEEM4</b>	<b>REFUSED</b>	<b>29th May 2008</b>
Erection of 13 apartments, 1 mews cottage, internet cafe and associated works		

<b>09/00044/FUL</b>	<b>REFUSED</b>	<b>1st May 2009</b>
New build mixed use complex comprising 12 office units - total 1103m <sup>2</sup> , 10 residential apartments, 1 cafe and 40 parking spaces (revised application following refusal of 07/01126/FUL)		

## 3. POLICIES AND GUIDANCE

### National Planning Policy Framework (NPPF)

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places  
Section 16 Conserving and enhancing the historic environment

### Saved Local Plan (LP) Policies

CP 3 Sustainable environment  
CP 4 Safe and sustainable living  
CP 7 Design  
GE 6 Trees and development

### Adopted Joint Core Strategy (JCS) Policies

SD1 Employment - Except Retail Development  
SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD8 Historic Environment  
SD14 Health and Environmental Quality  
INF1 Transport Network

### Supplementary Planning Guidance/Documents

Old Town Character Area Appraisal and Management Plan (2007)

#### 4. CONSULTATION RESPONSES

##### **Building Control**

*5th February 2019*

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

##### **Cheltenham Civic Society**

*27th February 2019*

This is the type of innovative development we welcome in the town centre, and we hope this will be the catalyst for further improvements to the Minster curtilage. We particularly favour the entrance to the church yard.

The forum particularly welcome the proposed use of solar power and battery storage, and hope this will be an exemplar for future planning applications

We would like to see more information on the service access including bin storage and access, considering the likely potential use.

##### **Historic England**

*1st March 2019*

Thank you for your letter of 5 February 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

##### Historic England Advice

We note that our pre-application comments have been submitted and are available on the application's online webpage. Those comments set out our general view of the proposal, and we repeat certain pertinent passages below for ease. We do, however, raise one serious concern over the eastern elevation.

St Mary's - more commonly referred to as Cheltenham Minster - is Grade I listed and is the town's only surviving medieval building. It likely dates from the mid-12th century, and as the list description asserts, the architectural design-interest arrives largely from the high quality Decorated tracery which, in some cases, fills an exceptionally high proportion of the windows. The spire is a notable Gothic feature which contrasts strikingly with the predominance of the surrounding Regency architecture. The churchyard - defined tightly by the encircling (predominantly) four-storey terraced blocks - is a somewhat unexpected space of tranquillity within the busy town centre, and associated (individually designated) assets create a distinctly characterful enclave. It is important to note that, whilst not necessarily under Historic England's jurisdiction, the churchyard contains several 'dragon and onion' lamp posts, tombstones and headstones, the churchyard wall piers and railings to the east, and a churchyard cross, all listed at Grade II (the latter being simultaneously scheduled). There are further Grade II buildings surrounding the site, in particular, the library, museum and art gallery, and Norfolk House. The local authority will assess any impact to the setting of these Grade II assets.

The Cheltenham Borough Council Conservation Area Appraisal and Management Plan 2007, identifies 'St Mary's churchyard as an important space within the town centre...with a sense of enclosure and is a potentially tranquil space.' It also acknowledges that 'a combination of al-fresco drinking in the churchyard; evidence of graffiti and unattractive rear facades of buildings backing onto the churchyard contribute to providing the church with a poor setting.' Indeed, Action OT13 of the Management Plan 'aims to enhance the area through proposals including maintaining existing through routes and desire lines and



enhancing points of entry; encouraging interaction with the surrounding properties; encouraging increased public use; improving and enhancing the setting of the Church and strengthening the current identities of the Church and Churchyard.'

Broadly speaking, Historic England supports this proposal. Whilst the identified tranquillity of the site is an attribute that we would like to see maintained to a degree, we believe that the churchyard is a wholly under-appreciated, under-utilised space with huge potential to be a real historic asset to the town. Currently the site is not a space in which public wish to dwell, enjoy, and appreciate, and the Minster (and its setting) suffers as a result. We consider that the resulting environment is caused by the encircling buildings having turned their back on the churchyard. The solution appears to be to reverse this situation by encouraging interaction between the surrounding buildings and spaces, increasing activity and a sense of surveillance.

The principle of introducing the proposed use to the adjoining car-park is therefore welcomed. The scale, when considering the height of the buildings forming a back-drop to the site, is not considered inappropriate.

At pre-application stage we raised some concern over the eastern elevation of the site which addresses the Minster. Whilst we did not object to the use of the shipping containers, we were not convinced that the relationship of this elevation was as positive as it had the potential to be. We recognised the intention to create an avenue through the site which connects to the western door of the church, however, we questioned whether in reality this would deliver a strong enough physical link between the two, or whether it may appear more as an unwelcoming tunnel. We encouraged some exploration of this eastern connection and whether a greater expression of space and openness could be achieved to assure interaction between the two sites. We do not consider this to have been achieved; in fact, despite our initial advice that this vital link between the two sites should be emphasised and enlarged, the current proposal has, if anything, made this element narrower and less inviting.

There remains one narrow gap forming the access corridor from the Minster side, which is over-sailed by two first-floor containers. This, we fear, will result in a weak and unwelcoming connection which does not take full advantage of the potential relationship between the two sites; this elevation strikes us as a barrier as opposed to positive permeability. We accept that the use of the containers prohibits more flexible adaptability, but question whether a more generous gap (perhaps twice the width with the first-floor 'bridge' set well back and without the continuous length of containers (this break in containers at first-floor level was proposed at pre-app)), would help to achieve this.

We remind the authority 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) (NPPF, para. 193). Further, an authority should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (para. 200).

### Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 200 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to

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

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

### **Heritage and Conservation**

*13th March 2019*

I am generally supportive of principle of the proposal. However, there are a number of initial points that need to be raised at this stage prior to further conservation comments being made.

The contextual analysis of the site and its context and how this contextual analysis has been used to inform the proposal is not considered to have been convincingly demonstrated within the submitted information. If this analysis has been undertaken, which the supporting information indicates has, it would be useful to submit this to give a greater understanding of the approach taken, helping to justify the proposed works.

Historic England have made some pertinent comments concerning the proposal that are agreed with. Their specific point concerning the entrance facing onto the Minster (shown in proposed elevation BB (facing the Minster)) needs to be carefully addressed. As proposed there is too hard a frontage facing the minster, not enough is made of this as an entrance and of potential vistas from the site to the minster. As proposed, there is considered to be a detrimental impact on the special interest of the Minster. Further consideration needs to be given to how a 'lighter', more open entrance can be created here.

It is also not clear from the submitted details how users of the site are to arrive at this entrance. The access via a ramp between the side of the Children's Library and the Minister is shown. However, the proposal takes no account of the desire lines from the High Street that would be created as a result of locating an entrance here. Concern is raised access to this entrance is unresolved, it is not considered successful in term of its legibility. The entrance relies on access over the grassed area of the churchyard but does not provide landscaping, through the introduction of a path or paths, to facilitate it. The proposal would encourage 'shortcuts' over this area, likely resulting in it becoming worn and untidy with no way of mitigating this impact. The result of this would be harmful to the churchyard and therefore the setting of the affected heritage assets. It is noted the Minster is outside the proposal site but better connectivity through a more careful consideration of legibility and permeability created by landscaping interventions is required. The site needs to allow for a clearer connectivity with the Minster, its churchyard and its wider context. It would be useful to understand whether representative from the Minster, Diocese of Gloucester or other relevant body have been contacted to discuss this issue.

The proposed location of the bin store at the main entrance of the site off Chester Walk is considered to result in an unattractive feature that detracts from the character and appearance of the public realm, harming the special interest of the affected heritage assets. It is noted there is a bin store in this location as existing but this is not considered justification to continue using the area for this use. There is an opportunity within the current proposal to address this issue to enhance the site and this part of the Central Conservation Area. Ideally the bin store should be located away from the front entrance and screened from the public realm. It is not considered this issue can be dealt with by condition given its significance.

Secure cycle parking is proposed to the northern corner of the site, which is welcome. However, it is desirable that an element of cycle parking be provided nearer the entrance of the site for the convenience of visitors and to encourage them to visit by bike. There appears to be space for this to the immediate north of the proposed parking area.

Reference is made within the Design and Access Statement to the layout of the proposal being informed by a site analysis and meetings including with Cheltenham Borough Council's Conservation Department. For clarity it should be noted that the Conservation Officers at CBC did not attend any pre-application meetings nor did they comment on a pre-application proposal. It would be appreciated if this misleading statement could be removed from the Design and Access Statement.

As proposed there are concerns over the proposal which need to be addressed before it can be considered for approval. Please note further comments on the proposal will be forthcoming after and additional information or negotiation takes place.

### **Environmental Health**

*18th February 2019*

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 vehicles 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

The proposed development has the potential to cause noise disturbance to existing residential or other noise sensitive properties, in particular residential properties directly west of the site on St George's Place. This noise is likely to arise from use of the 'event space' within the development.

It is required that a full Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan must include a full noise assessment and sound insulation measures for the proposed development and an assessment of the effect of the event space on the residential properties directly west of the site on St George's Place. This must be carried out by a suitably qualified and experienced acoustic consultant.

NB: The current plans show a lightweight roof construction carrying a significant load from photovoltaic panels, which may be an impractical combination.

The following information MUST be included in all acoustic reports:

- A statement of the reason for and scope of the report.
- Details of the proposed development to which the report relates.
- A location and development plan.
- A description of the area and environment surrounding the development site

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- The methodology used to carry out the noise survey including the location of any noise monitoring locations, the equipment used and details of its last accredited calibration, and the weather conditions at the time the survey was carried out
- Full table of results.
- Assessment of the results in accordance to the relevant standards and policies.
- Recommendations for noise control measures if needed.
- Full calculations of the noise reductions expected to support any suggested noise control measures.

Reason: To prevent a loss of amenity affecting surrounding occupiers and the details are needed prior to the start of work so that measures can be incorporated into the build.

### Condition 3

No building or use hereby permitted shall be occupied or use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority.

Reason: To prevent a loss of amenity affecting surrounding occupiers.

### Condition 4

The technical details of the flues, ducting, extract system, filters etc. and their continuing operation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent a loss of amenity affecting surrounding occupiers.

### Condition 5

Prior to the commencement of development, a site investigation and risk assessment shall be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
  - human health
  - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
  - adjoining land
  - ecological systems
  - groundwaters and surface water
  - archaeological sites and ancient monuments
- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

### **County Archaeology**

*4th February 2019*

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

I advise that the application site is archaeologically sensitive, since it is located in close proximity to Cheltenham's medieval parish church, and it is therefore in an area where medieval settlement associated with the church is likely to have been present. In addition, archaeological investigation of the nearby library building in Chester Walk revealed archaeological remains dating to the later prehistoric period. Ground works required for development in this locality may therefore have an adverse impact on archaeological remains.

I note that this planning application is supported by a report on an archaeological field evaluation which was undertaken within the application site in 2005. This indicates that any significant archaeology is likely to be preserved at depths of c. 0.95m - 1.12m below ground level.

Since this development will be undertaken using re-used shipping containers it is unlikely that the development will intrude to the depths at which archaeological remains are potentially present.

Therefore I recommend that no archaeological investigation or recording should be required in connection with this planning application, and I have no further observations regarding this scheme.

### **GCC Highways Development Management**

*10th June 2019*

#### Recommendation

No objection (Subject to conditions)

GCC Highways will be in attendance at committee in relation to this application.

#### Planning History & analysis

The recent Planning History of the site, in reverse chronological order, is as follows:

16th January 2009. Ref. No: 09/00044/FUL. New build mixed use complex comprising 12 office units - total 1103m<sup>2</sup>, 10 residential apartments, 1 cafe and 40 parking spaces.

Received: Fri 16 Jan 2009 | Validated: Fri 30 Jan 2009 | Status: Refused

25th January 2008. Ref. No: 08/00158/DEEM4. Erection of 13 apartments, 1 mews cottage, internet cafe and associated works. Received: Fri 25 Jan 2008 | Validated: Thu 28 Feb 2008 | Status: Refused

10th August 2007. Ref. No: 07/01126/FUL. New build mixed use complex comprising 14 apartments, 8 office units and 1 cafe and underground parking (Revised plans). Received: Fri 10 Aug 2007 | Validated: Thu 15 May 2008 | Status: Refused

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26th July 2005. Ref. No: 05/01170/DEEM4. Erection of 24 residential flats, apartments and mews cottages and internet cafe. Received: Tue 26 Jul 2005 | Validated: Thu 04 Aug 2005 | Status: Refused

14 Jun 1996. Ref. No: 96/00550/PF. Erection Of 3 Storey Office Building Land At Chester Walk Cheltenham Gloucestershire. Received: Fri 14 Jun 1996 | Validated: Fri 14 Jun 1996 | Status: Permit

18th September 1986. Ref. No: 86/01018/LD. Old Bakery Site Cheltenham Gloucestershire - Demolition Of Existing Buildings and Erection Of Library Phase 1. Received: Thu 18 Sep 1986 | Validated: Thu 18 Sep 1986 | Status: Permit

A review of the planning history has established that the loss of parking on this site has been previously established.

### Proposed Development

1703sqm mixed use 'innovation centre' comprising 1003sqm workspace (B1), 293sqm performance arena, 157sqm community and education spaces, 147sqm back-of-house and a 103 sqm roof garden based on the submitted details in the Design and Access Statement.

### Site appraisal

The site is sustainably located in the town centre of Cheltenham accessible by frequent nearby bus services which also connect the site to Cheltenham station with regular rail services, with good pedestrian access and within a wide catchment for cycle trips reducing reliance on private vehicle use to and from the site.

Travel distance to bus stops approx. 100m / 2 minutes walking time

Cheltenham Spa Railway – 11-13 minute journey time (walk & bus) - 21 minute walk time

The site is considered to be a sustainable location.

The site is considered to be sustainable and as such development in this area can respond and offer alternative transport solutions that are not reliant on the private car. The proposed development will not offer parking to the majority of users and as such alternative travel / parking arrangements will need to be made in areas that are underutilised including the local multi storey parking facilities.

Four parking spaces will be provided with 2 disabled bays and two electric pool car parking bays. GCC would note that it would encourage the applicant to offer charging to disabled users also. As such only essential / sustainable parking will be provided and is a considerable reduction from the existing use which does not make full use of the sustainability of the site.

Whilst arriving by private car by other users will be discouraged there are opportunities for parking that can be taken up in private parking areas. As such due to the controlled parking within Cheltenham there is not a concern about impact on the highway from any potential parking. The applicant has identified these in the parking strategy submitted.

It is understood that the existing parking has been considered and that suitable alternative arrangements are in place and that the Head of Planning at CBC can provide clarity on this matter at the committee.

Overall the reduction in 58 parking spaces is welcomed in highways terms given the sustainability of the location.

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The cycle parking provision is considered suitable along with disabled and electric vehicle parking for the site.

GCC recommend the following conditions be applied:

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plans, 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.

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plans 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.

NOTE: The development will require construction and delivery access by large vehicles which will be expected to require streetworks approval which should be sought by contacting the County Council at 0800 514 514 or emailing [streetworks@gloucestershire.gov.uk](mailto:streetworks@gloucestershire.gov.uk)

NOTE: The upgrade works to the access on Chester Walk and new access to ##### require alteration to the existing highway network and must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required. The Local Highway Area office will need to be contacted prior to commencement of work on the access.

The applicant is also advised that it is an offence under section 161 of the Highway Act 1980 to deposit anything on a highway the consequence of which a user of the highway is injured or endangered. It is strongly recommended that during any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided and used within the site, to prevent contamination and damage to the adjacent roads.

### 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 equality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

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

## 5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent to 72 neighbouring properties. In addition, site notices were posted in proximity to the site, and an advert published in the Gloucestershire Echo.

16 representations have been received in response to the publicity; 8 in support of the proposal, 7 in objection, and 1 general comment. The comments have been circulated in full to Members in full but, in brief, some of the concerns raised by the objectors relate to:

- the location of the development – the site does not have any street frontage and would be better sited elsewhere;
- the impact on the Minster – the design is out of keeping and will be an eyesore;
- the loss of existing parking spaces and inadequate parking for the proposed development;
- the impact on the Children’s library and its users.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

6.1.1 The key planning issues when determining this application are the principle of development; massing and design; impact on the historic environment; amenity; and parking and highway safety. Members will need to balance all of the planning issues and relevant planning policies when making their decision.

### 6.2 Policy background / principle

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This is reiterated in paragraph 47 of the National Planning Policy Framework (NPPF) which also highlights that decisions on applications should be made as quickly as possible.

6.2.2 Paragraph 11 of the NPPF sets out a “*presumption in favour of sustainable development*” which in decision making means:

- *approving development proposals that accord with an up-to-date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - *the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.*

6.2.3 The development plan comprises saved policies of the Cheltenham Borough Local Plan Second Review 2006 (LP) wherein those policies are consistent with the NPPF; and adopted policies of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS).

6.2.4 Material considerations include the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), and the emerging Cheltenham Plan (eCP) which was submitted to the Secretary of State for examination in October 2018.

6.2.5 Adopted JCS policy SD1 advises that the development of new employment land, “*where it would encourage and support the development of small and medium sized*



*enterprises*”, will be supported within the Principal Urban Area of Cheltenham, subject to all other policies of the plan. Paragraph 4.1.14 of the JCS states that the aim of the policy is *“to support employment development and economic prosperity by taking an economic-led, urban-focused development approach, with the primary aim of attracting investment and development to the main urban areas”*. Paragraph 4.2.19 goes on to state that *“Providing start-up space...is also vital to stimulate innovation and entrepreneurship... developments are especially encouraged which provide a range of types and sizes of units including start-up and flexible workspaces”*.

6.2.6 Additionally, paragraph 80 of the NPPF (2019) states that planning decisions should place significant weight *“on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*.

6.2.7 The principle of developing this site for employment purposes must therefore be acceptable subject to the additional policy considerations below.

### 6.3 Massing and design

6.3.1 JCS policies SD3 and SD4 set out the design requirements for new development proposals. These policies seek to ensure that development proposals are designed and constructed so as to maximise the principles of sustainability, and to ensure that all new development responds positively to, and respects the character of, the site and its surroundings. The policies are consistent with the general design advice set out within Section 12 of the NPPF.

6.3.2 The proposed development is largely two storeys in height, but does step up in height in the northern corner of the site with a modest second floor addition; the massing of the development within its context is considered to be acceptable given the nature of the surrounding built form.

6.3.3 By its very nature, the proposed development will have an industrial aesthetic but it is considered that it will represent an interesting and contemporary piece of architecture in this sensitive location. A contemporary approach to the detailing of the shipping containers is proposed, with a subtle uniform colour finish to the units fronting the Minster; and more vibrant graphics proposed to the units surrounding the event space. Elsewhere, the entrance lobby and lift core will be clad in glass planks consistent with the industrial aesthetic of the scheme, with powder coated aluminium windows and doors.

6.3.4 The proposed development will be a low energy project with minimal impact on the environment, and the Design and Access Statement (DAS) sets out the sustainability credentials of the development. Photovoltaic panels will be located on the roof structure which will capture energy to be stored in next generation battery technology.

### 6.4 Historic environment

6.4.1 JCS policy SD8 requires both designated and undesignated heritage assets and their settings to be conserved and enhanced as appropriate to their significance, and is consistent with paragraph 192 of the NPPF that advises that in determining planning applications, local planning authorities should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

6.4.2 Additionally, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority (LPA), in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting; in this case, it is the setting of adjacent listed buildings that must be considered. Section 72(1) of the same Act also requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area wherein development is proposed.

6.4.3 As previously noted, there are a number of listed buildings in proximity to the application site, most notably the grade I listed Minster, and the proposed development will undoubtedly impact on the setting of these buildings.

6.4.4 Historic England (HE) when commenting on the original proposals welcomed the principle of the proposed use in this location; did not object to the use of shipping containers; and did not consider the scale of the development to be inappropriate given the heights of surrounding buildings. However, whilst *“Broadly speaking, Historic England supports this proposal”* they did raise a serious concern over the eastern elevation. The concern related to the narrow gap forming the access corridor from the Minster side, which was over-sailed by two first-floor containers, and would *“result in a weak and unwelcoming connection which does not take full advantage of the potential relationship between the two sites; this elevation strikes us as a barrier as opposed to positive permeability”*. HE therefore questioned *“whether a more generous gap (perhaps twice the width with the first-floor 'bridge' set well back and without the continuous length of containers...would help to achieve this”*.

6.4.5 Revisions have therefore been negotiated, in conjunction with the Council's Conservation Officer, to improve this elevation and provide better connectivity to the Minster grounds. Namely, the width of the entrance at ground floor has been increased from 2.5m to 3m, and the width of the gap at first floor has been increased from 5.5m to 6m; additionally, the first floor in this location has been set back approximately 9m and is now fully glazed. Officers consider that the revisions sufficiently overcome the concern raised by HE.

6.4.6 Overall it is considered that the proposed development has the potential to make a positive contribution to the setting of the Minster, and the wider conservation area in which it is located.

6.4.7 From an archaeological perspective, paragraph 189 of the NPPF advises that where a development site has the potential to include heritage assets with archaeological interest, developers should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

6.4.8 In this respect, the County Archaeologist has noted that the application is supported by a report on an archaeological field evaluation which was undertaken within the application site in 2005; this report indicated that any significant archaeology is likely to be preserved at depths of c. 0.95m - 1.12m below ground level.

6.4.9 As such, whilst acknowledging that this site is archaeologically sensitive, and that ground works required for development in this locality could have an adverse impact on archaeological remains, the County Archaeologist considers that, since this development will be undertaken using re-used shipping containers, it is unlikely that the development will intrude to the depths at which archaeological remains are potentially present. Therefore no further archaeological investigation or recording is required in connection with this planning application.

### 6.5 Amenity

6.5.1 Saved LP policy CP4 and adopted JCS policy SD14 seek to ensure that new development does not result in unacceptable harm to the amenity of adjoining land users and the locality. In addition, one of the core planning principles set out within paragraph 17 of the NPPF is to *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.

6.5.2 The proposed development has been reviewed by the Council’s Environmental Health Team (EH) who recommend approval subject to a number of conditions.

6.5.3 With respect to noise, EH highlight that the ‘event space’ within the development has the potential to cause noise disturbance to existing residential, or other noise sensitive, properties, in particular residential properties directly west of the site on St George's Place. As such, a full Operational Management Plan will need to be secured by condition; the plan shall include a full noise assessment and sound insulation measures for the proposed development, and an assessment of the effect of the event space on the residential properties directly west of the site on St George's Place. Additionally, technical details of the flues, ducting, extract system, filters etc. and their continuing operation will be secured by condition.

6.5.4 Future lighting proposals also have the potential to negatively impact on the amenity of neighbouring residential properties and a further condition is therefore suggested by EH that requires the submission of a detailed lighting scheme.

6.5.5 Whilst it is acknowledged that outlook from neighbouring residential properties will undoubtedly be altered by the development, officers are satisfied that the proposed massing of the development will not result in any overbearing effect, nor significant loss of privacy or outlook.

### 6.6 Parking and highway safety

6.6.1 Adopted 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.

6.6.2 The development proposals have been reviewed by the GCC Highways Development Management Team (HDM) who raise no Highway objection subject to conditions.

6.6.3 The site is sustainably located within the town centre with excellent links to public transport services. There are frequent nearby bus services, which serve Cheltenham Spa station with regular rail services, with good pedestrian access, and links to the cycle network. The nearest bus stops are 100m away.

6.6.4 Given the highly sustainable nature of the site, HDM consider that development in this area can offer alternative transport solutions that are not reliant on the private motor vehicle. As such, whilst the proposed development will not offer car parking to the majority of users, there are a number of nearby town centre car parks which are underutilised; the applicant has identified these in the submitted parking strategy. Additionally, due to the controlled parking within Cheltenham, HDM do not raise concerns in terms of highway safety.

6.6.5 Of the four car parking spaces that will be provided on site, two are disabled bays and two are electric pool car parking bays. HDM suggest the applicant also offer charging facilities to disabled users, and this could reasonably be secured by condition.

6.6.6 Suitable alternative parking arrangements for the current users of the site have been negotiated.

6.6.7 The level of cycle parking provision proposed is considered appropriate for the development.

6.6.8 Given the constrained nature of, and limited access to, the site it is considered necessary to impose a condition requiring the submission of a detailed Construction Method Statement prior to the commencement of development, to ensure that the construction phase does not cause harm to neighbouring residential users or highway users.

### 6.7 Other considerations

#### Trees

6.7.2 There are a row of Lime trees within the churchyard adjacent to the eastern site boundary which will be in close proximity to the development. The Tree Officer has visited the site and given the difference in land levels either side of the boundary, and the limited groundworks that will be required to carry out the development, the Tree Officer raises no objection. Any future pruning of these trees as a result of the development would be resisted.

#### Contaminated land

6.7.3 Environmental Health has suggested that a condition be imposed in relation to contaminated land; however, officers consider the suggested condition to be particularly onerous given the nature of the development which will require little foundations. An alternative condition is therefore suggested whereby should any contamination be found during construction works it must be reported immediately to the Local Planning Authority.

#### Footpath

6.7.4 Although the application proposes the removal of existing boundary fencing which sits atop the low level boundary wall between the site and churchyard, it does not currently provide for a new footpath link to the development through the churchyard as the land falls outside of the application site. Should permission be granted for the development, it is anticipated that an application for a footpath will follow. Works to the churchyard boundary and the footpath would require diocesan approval; however, the principle of such works is supported by the Rector of Cheltenham.

#### Advertisement strategy

6.7.5 Due to the sensitive location of the site, and the nature of the proposal, a condition is suggested that requires the submission of an Advertisement Strategy to be agreed and adhered to.

### 6.8 Conclusion and recommendation

6.8.1 The principle of developing this site for employment purposes is considered to be acceptable. The proposed development will represent an interesting and contemporary piece of architecture, and following revisions to the eastern elevation, to address a concern raised by Historic England, has the potential to make a positive contribution to the setting of the adjacent grade I listed Minster, and the wider conservation area in which it is

located. There are no amenity or highway concerns arising from the proposals that cannot be adequately dealt with by condition.

6.8.2 The proposal is therefore considered to be in accordance with all relevant local and national planning policy and the recommendation therefore is to grant planning permission subject to conditions:

### **7. CONDITIONS / INFORMATIVES**

Suggested conditions / informatives to follow in an update

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<b>APPLICATION NO:</b> 19/00204/FUL		<b>OFFICER:</b> Miss Michelle Payne	
<b>DATE REGISTERED:</b> 18th February 2019		<b>DATE OF EXPIRY :</b> 20th May 2019	
<b>WARD:</b> Lansdown		<b>PARISH:</b>	
<b>APPLICANT:</b>	WorkShop Cheltenham		
<b>LOCATION:</b>	Car Park, Chester Walk, Cheltenham		
<b>PROPOSAL:</b>	Proposed Mixed Use Innovation Hub for the town centre		

### REPRESENTATIONS

Number of contributors	<b>16</b>
Number of objections	<b>7</b>
Number of representations	<b>1</b>
Number of supporting	<b>8</b>

38 Sydenham Villas Road  
Cheltenham  
Gloucestershire  
GL52 6DZ

**Comments:** 3rd April 2019  
Copy of a letter of support to the Workshop Project

1st April 2019

WorkShop Cheltenham Limited  
7 Royal Well Place  
Cheltenham  
GL50 3DN

Dear [REDACTED]

WorkShop and The Minster Churchyard

As you may know, [REDACTED] and I have met to discuss the WorkShop project and its potential for the town and the way it could open up and improve the use of the Minster churchyard. I have also spoken to [REDACTED] chair of our fabric committee who is supportive of these plans. I am now writing, at [REDACTED] suggestion, to add my support to the planning application which, I gather, is due to be considered by the Borough Council's planning committee on 18th April.

As well as adding my support to the proposal, I would like to suggest that the proposed wall between the WorkShop and the churchyard should be removed and a path across the West side of churchyard be constructed. This would provide much better access to the WorkShop and would open up the churchyard and help to improve its general atmosphere and use. Both the work on the churchyard boundary and the path will need diocesan approval via the usual faculty process. If this is of interest, then I would suggest that we brief the Parochial Church Council and the Diocesan Advisory Committee at the earliest opportunity. It will need approval from both.

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I have also met with [REDACTED] from Cheltenham Festivals who is very excited about the potential of the project. We talked about possible links with the Minster and how the Festivals might use the churchyard and the Minster itself in conjunction with the WorkShop space.

With best wishes,

Rector of Cheltenham

**Comments:** 3rd April 2019

This project will improve the atmosphere and use of the churchyard of St Mary's Church dramatically. It has my full support.

Silverdale  
St Annes Road  
Cheltenham  
Gloucestershire  
GL52 2ST

**Comments:** 17th February 2019

I am writing to record my full support for this exciting project.

I moved from London to Cheltenham in early 1985 to join a fledgling PR agency. That agency was based in the former Horse & Groom, which is adjacent to this scheme and the facilities in the Horse & Groom at that time resembled a microcosm of this development proposal - a mini business hub providing space for and supporting freelancers and new, small businesses.

With the benefit of that support, that PR agency grew to be one of the UK's top 50 PR agencies and it still has offices in the town. It brought in work from all over the country, which local suppliers then benefited from. It also spawned a number of other businesses which also generated local employment and benefited the town's economy. So as a former director of two of those businesses I can personally vouch for the crucial support that such a hub can offer.

To have this new, much bigger and better hub right in the centre of town, on what has been a grubby, unloved site for many decades is particularly welcome.

The proposed use of the site also outweighs by far any need for the small number of parking spaces it will replace.

9 Fir Tree Close  
Cheltenham  
Gloucestershire  
GL52 3EU

**Comments:** 19th February 2019

The roads surrounding the site are narrow and there are times when cars' park outside the Children's Library and delivery vans also use this area for deliveries to the Wilson/The White Spoon/ The Wilson Café and the Library making the area by the Children's Library sometimes very busy, and with it the attendant worry of child and adult safety. Surely it cannot be possible for this development not to have some form of vehicle movement in and out of the site on a daily basis? How will the users/staff/visitors for the Hub actually arrive for work/meetings? Deliveries to and from the site as well where will they park? Traffic will surely increase in the already narrow access to the site. And no parking on site apart from four spaces.

The Hub appears to be a two story construction, this will have the effect of blocking what little light is available to the rear of the building especially the Children's Library on the ground floor



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which receives very little natural light, and on the other side as well as its outlook is The Wilson a 3 story building which also blocks the light to the front face.

Why has the Hub been selected to be placed in Chester Walk ? Would not the St James' Street car park be more suitable? Owned already by CBC, large surface area, parking literally on site, no heritage issue, better vehicular access on and off site, the area needs some form of 'boost', and still central for public transport. There would quite possibly be no heritage or archaeological issue with this area and if positioned well would not interfere with any natural light to surrounding buildings.

It does not make it clear how long term funding is set for. Funds and loans are mentioned but these are, one can assume, only open to availability of funds. There is no mention of any EU funding so this may not be an issue although conversely if some funding is through some link to the EU this funding may well disappear. Will year on year running costs be sufficient to ensure continued maintenance and security over a period of time? Or if funding is reduced will the area be left with deteriorating steel work (bearing in mind these container units have already been used once) unused units with no single authority agreeing to take over it's running costs. Until we are left with a derelict type area. Who will clear this if this happens?

Having looked at the available documents it appears there may also be issues over 'rough sleepers', the area around The Minster does have a history of an area that has anti-social and even more serious elements, and there appears to be areas in and on the site which would appeal to those that are of this particular persuasion, possibly making the area even less safe after dark.

I think this is totally the wrong area for this enterprise.

2 Kenilworth Villas  
St Annes Road  
Cheltenham  
Gloucestershire  
GL52 2SS

**Comments:** 14th February 2019

This is a really exciting scheme - i love what they are talking about doing, it sounds like it could really help bring much needed business and footfall to the High Street. They clearly understand what the town needs to help maintain it into the future and to retain the young and talented.

I also really love the idea of having a proper performance space in the center of town.

22 Hamilton Street  
Charlton Kings  
Cheltenham  
GL53 8HX

**Comments:** 3rd March 2019

Whilst supporting the urgent need for an innovation hub in Cheltenham, this application is a situated in in a totally inappropriate place. The proposed architecture is an insult to Cheltenham's most historic grade 1 listed building, the nearby Minster. The proposal has no sense of, "contextual architecture" in the heart of Cheltenham. Whatever happened to "Civic Pride"? It's appearance also does nothing to enhance the prowess of the business community in Cheltenham.

The proposal should be sent packing and put away in one of its own shipping containers!

45 Denman Avenue  
Cheltenham  
Gloucestershire  
GL50 4GF

**Comments:** 12th April 2019

We have a nearby business at 8 St George's Place and have a number of concerns that means we cannot support this project in its current state.

We are concerned that the materials used are not in keeping with the surrounding - especially the church. It will look like an eyesore, not an integrated part of the area.

We feel that access to St George's Place will be greatly affected during the construction work - hindering neighbouring residents, deliveries to our shop and other businesses around us, and stopping some of our customers from reaching us during what is already a volatile time for small businesses. We appreciate that the aim is to reduce such impact once the site is in use, but we also feel many people will continue to use cars, etc to reach this Hub rather than the proposed green alternatives. We already have a problem with the general public using the two parking spaces we pay for at the rear of our shop without permission, and we believe this would exacerbate that situation further.

During the work on Brewery Phase II, the clay nature and honeycomb structure of the area around and under the High Street meant that we experienced a lot of shaking to our building with stock occasionally being dislodged from the shelves. The site manager worked hard to understand our concerns and notify us of any work that might have a similar effect, but we were very relieved when it came to an end. We are concerned that such work in the car park behind would cause similar distress once more.

Echoing another respondent, I do feel the open plan nature of the site will invite homeless people to take shelter at night - and whilst this in and of itself is a failure on the part of society - we are all aware that it can, if anything, magnify the anti-social behaviour we see in the area.

I would urge the Council not to abandon this undertaking, but to greatly reconsider this site for said project. The failure of the Morrisons site at the North Place Car Park seems to make this an excellent alternative location - placing it close to more arterial transport links in the town for one and in a location where the proposed construction materials would be less likely to detract from the surrounding area. Furthermore it seems more likely such a project at North Place Car Park could be secured at night, preventing any escalation of anti-social behaviour.

We also feel that this is the wrong area for this project.

Cheltenham BID  
2 Wolseley Terrace  
Cheltenham  
Gloucestershire  
GL50 1TH

**Comments:** 22nd February 2019

Cheltenham BID's board would warmly welcome the WorkShop Cheltenham project to the town centre for several reasons.

We believe there is a need for affordable incubator spaces for start-up retail and office-based businesses in the town centre who can then move on to establish themselves elsewhere in the town. WorkShop's culture of encouraging the start-ups to flourish so that the spaces are then made available to other new businesses is an important aspect of the project for the BID.

One of the major challenges facing both Cheltenham and Gloucestershire as a whole is the number of young people who leave the town and county. WorkShop, with its focus on the creative and technology sectors, will be just the sort of "attractor" we need to retain them.

WorkShop's presence will also be a major positive for the immediate local area. The open spaces around Cheltenham Minster and the alleyways that lead from them can be blighted by anti-social behaviour. This project would bring a new vitality to the area during the day and evening that would quickly start to change that. The BID is already actively involved in supporting a separate project to improve the alleyways and the two will work together well.

We are excited that the proposals also include provision of a new events space. The BID has brought a number of new events to the town, which have driven increased footfall, but we have been hampered on occasions by the lack of availability of outdoor space in particular.

Cheltenham town centre has long-needed a Growth Hub because of the hands-on support that it would give to both existing and new businesses. It is significant that this is included within the proposals and this would be the ideal location for the first fully-functioning Cheltenham Growth Hub, with the support of both GFirst LEP and Creative England.

Director  
Cheltenham BID

10 Pumphreys Court  
Pumphreys Road  
Charlton Kings Cheltenham  
Gloucestershire  
GL53 8BX

**Comments:** 26th February 2019

Whilst I would welcome many aspects of the proposed Innovation Hub, I strongly object to the use of the proposed site.

The development would, I feel, potentially cause far more problems than it would solve if it is built on the proposed site. In addition, the success of the Innovation Hub could suffer due to the hidden nature of the proposed location.

The site cannot be seen from the High Street or from Clarence Street. This would surely make potential start-up businesses less visually accessible to the public, causing many problems for them. In addition, the site has only 2 disabled parking spaces and no public parking spaces. The plans state that the other 2 parking spaces are equipped with electric charging points for pool cars, for the use of individuals and businesses at the scheme. Considering that there a proposed 6 full-time and 8 part-time employees; the units used by start-up businesses may require more staff; the potential numbers attending events, the cafe and the bar mentioned in the proposal; there seems no consideration for many of these seeking to park close to the facility. Cycles or public transport are not always suitable means of transport for many people. Where are visitors and business staff supposed to park? The Euro car park to the rear of the site is always packed and other public car parks are some distance away. Lack of adequate parking could well put off the very businesses and visitors that the Hub is looking to promote and provide for.

The businesses and community venue in this proposal would also, I assume, require deliveries of various kinds. Where are the delivery vehicles going to park? There is already congestion along Chester Walk when deliveries are made to the Museum, Library and White Spoon. How much more would there be with deliveries to the several start-up businesses, a cafe and a bar that would be located in the Hub? Are they, also, going to constrict the use of Chester Walk and cause further congestion and hazard? The only area wide enough along the road to conduct a 3-

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point turn is at the entrance to the site, close to the entrance to the Children's /Local History Library building (which also has a Drop-In Centre for the disabled) and close to the disabled access to the main library. Larger vehicles may have to reverse along the length of Chester Walk. There is great potential for accidents to occur with increased volume of traffic in such a narrow area.

Others have suggested Using St James' Car Park as an alternative site, and this would make great sense: it is more visible and accessible to the public, there would still be available parking for both businesses and the public, and any delivery vehicles would not encounter the restrictions of the current proposed site. All this would help towards the success of the proposed venture, and the ensuing expansion of business and employment in the town centre.

Regarding the planned development structure, recessed doorways can be seen on the proposed block plan, and also a narrow area to the left of the structure adjacent to the building at the rear corner of the current car park. These are areas on the proposed plans that I feel could encourage both rough sleepers and crime (particularly drug use). Considering the enclosed nature of the site, this could create an environment which would pose a threat to safety in the area and possibly an increase in crime and perhaps rodent activity too.

The development would be comprised of 31 recycled shipping containers, and I wonder what will happen to the structure if it does not become self-sufficient by the end of the current proposers' finance? They have a time limit on their funding, so there is potential for the structure to become abandoned, which would leave a rotting metal structure that would cause immense problems and more deterioration of the area than ever.

Much depends on the success of the Innovation Hub and the business opportunities it hopes to encourage. This, in turn, depends a great deal on accessibility to and visibility of the development. The proposed site does not offer easy accessibility or visibility for such a venture, and I would therefore suggest that a more suitable site is found.

58 Roman Road  
Cheltenham  
Gloucestershire  
GL51 8AA

### **Comments:** 14th February 2019

As a regular user of the amenities at the main library and the children's and local history library, first of all I would object to the amount of traffic this would cause for any children or disabled people moving around that building.

I believe that the reason this site has been chosen is because of it's situation in Cheltenham's Central Business District. There would be very little visibility for people who were trying to find this site (there is already a well-hidden Tourist information office without signposting that people can rarely find)It will be well hidden between the churchyard, the libraries and the back of the buildings on St George's Place.

The parking allows only 4 places which seems to be ridiculous. This does not seem to be a very forward thinking decision. For people who are interested in using the space I think this would be a major drawback. It is also not a particularly lugubrious place to walk around.

I do believe that there is a much better space that could be utilised in the St James Street car park. It is bigger, more open and approachable in its aspect and I believe this would help to extend the CBD!!!!!!!

5 St James Terrace  
Suffolk Parade  
Cheltenham  
Gloucestershire  
GL50 2AA

**Comments:** 28th March 2019

I thoroughly approve of this exciting scheme which will enhance an important but neglected area so central and important to the town.

Cheltenham needs ambitious schemes like this to encourage young, creative people to work here and exchange ideas in a contemporary environment.

This innovative design has integrity. In my view, it is an honest design of today and I am pleased it does not employ pastiche which would only undermine the historic minster.

I feel it would also make this hidden away area more accessible and therefore less likely to be a denizen for drug addicts.

25 Cypress Gardens  
Longlevens  
Gloucester  
GL2 0RB

**Comments:** 14th February 2019

Although I support businesses for cheltenham and youth, I believe the siting of this proposal is unacceptable. The adjacent necessary public building is for children to access the library service and also disabled users to go to a drop in centre for adult social care. The current situation is totally unhelpful for parking and access and yet again loses sight of supporting our minority vulnerable society members. The St James's site car park would be a more visible and relevant site to promote businesses and also to expand the awareness of cheltenham as a functional business centre that considers the needs of the whole of its community.

9 Kings Road  
Cheltenham  
Gloucestershire  
GL52 6BH

**Comments:** 18th February 2019

Both as a local resident and as Chair of Gardens Gallery CIC I support this initiative to accelerate the fostering of creative enterprise in our town. The high value at low cost should provide a competitively priced and collegiate environment. Very exciting for our young people.

30 Redgrove Park  
Cheltenham  
Gloucestershire  
GL51 6QY

**Comments:** 18th February 2019

Whilst I like the idea of start up office space in the centre of Cheltenham, please take into account the noise of the church bells installed in Cheltenham Minster, very close to the new development. The new bells were installed in 2017 with a lot of fundraising done by the bell ringers and the church members.

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They are rung every Sunday morning 10.15 until 11am for service every Thursday evening from 7.30 until 9pm. There is also regular ringing on other evenings and Saturdays.

Sound control has been installed in the tower to deaden the sound, but if the new development hosts events in the evenings please be aware that the bells might be ringing.

Penrose House  
30 Sydenham Road North  
Cheltenham  
Gloucestershire  
GL52 6EB

**Comments:** 17th April 2019

I fully support this exciting project. A scheme like this in the town centre is long overdue and will put Cheltenham on the map. And I think the location is perfect for what's proposed.

I see many benefits arising from this scheme. At last, something for the young, creative and entrepreneurial people of the town - there just aren't enough opportunities in the town for them to make the most of their talent. It will be great to finally have somewhere affordable for those looking to start a business - too many are currently deterred from doing so by having to commit to long leases. To have a Growth Hub centre right in the middle of the town centre, readily accessible by all, will really help. I also think this scheme will improve and generate footfall for the Lower High Street area and establish a cultural zone in that part of town. I also believe it will help the town 'rediscover' the architectural gem that is the Minster, as well as hopefully sorting out the anti-social behaviour that blights the area around it. And to finally get a proper performance venue and event space in the town centre will be amazing and long overdue,

There are many reasons to support this project, and I do so wholeheartedly.

Festival House  
Jessop Avenue  
Cheltenham  
Gloucestershire  
GL50 3SH

**Comments:** 18th February 2019

Letter attached.

39 Hales Close  
Cheltenham  
Gloucestershire  
GL52 6TE

**Comments:** 10th April 2019

I strongly support the space being utilised & the negative activities currently associated with the churchyard minimised.

I support the community hub as a facility & as an opportunity.

However, I am less sure about it being 3 stories tall when set alongside the Minster, & I don't feel the use of shipping containers, whilst cheap & environmentally sound, does anything to highlight, emphasise or compliment the beautiful architecture of the church.

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It won't exactly blend in with anything around it & I feel it's design could be much more considerate & complimentary to its surroundings.

My second concern is the usual of parking. CBC sets such high town centre parking costs I have to question where any user of this facility is expected to park? Surely this has potential to adversely affect the use of the facility?

PLANNING

Rec'd 15 FEB 2019

SERVICES

Michelle Payne  
Planning Department  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

Our ref: FIL/NS/2249

Dear Michelle

**Subject: Support of permission for WorkShop innovation hub: ref 19/00204/FUL**

I write on behalf of Formal Investments in full support of the concept and proposal of the above named planning application.

Formal Investments operate significant employment sites both in Cheltenham and across the UK. With the operation of circa. 180,000 sq. ft. of office space in Cheltenham we are the largest office landlord. Essentially it is strange for us to support such a scheme, particularly as such a scheme will inevitably attract some tenants away from our local properties as well as continue to compete against us for the smaller sized tenants in the future. Despite this we strongly support the proposal due to the potential to benefit Cheltenham.

Essentially there is an unavoidable cost to creating any form of employment space, whatever use this may be. In the wider market, with such fierce competition, this tends to drive the minimum cost of delivery upwards predominantly driven by land and construction costs. From my understanding this proposed scheme will enable an affordable option at the entry level of the market. This can only be a good thing and encourage as many entrepreneurs as possible to start a business in the heart of Cheltenham. The more that try, the more likely some will succeed, all contributing to the future growth of Cheltenham.

In addition, these type of opportunities are traditionally pushed out of a town or city centre to the periphery where land is cheapest. By locating this innovation hub so centrally at the heart of Cheltenham a greater chance success is likely for any business locating there. The scheme will undoubtedly encourage further activity of all levels into the centre of town, maintaining the footfall as well as allowing the economy and businesses to thrive, which in turn can only enhance the experience of residents.

Delivery will form an important part of the success of this proposal, with planning permission the first step. I truly hope this application is given every opportunity to be a catalyst for regeneration of a neglected patch of the town and enjoy the successes the rest of the St James's Place area has in recent times.

Yours sincerely

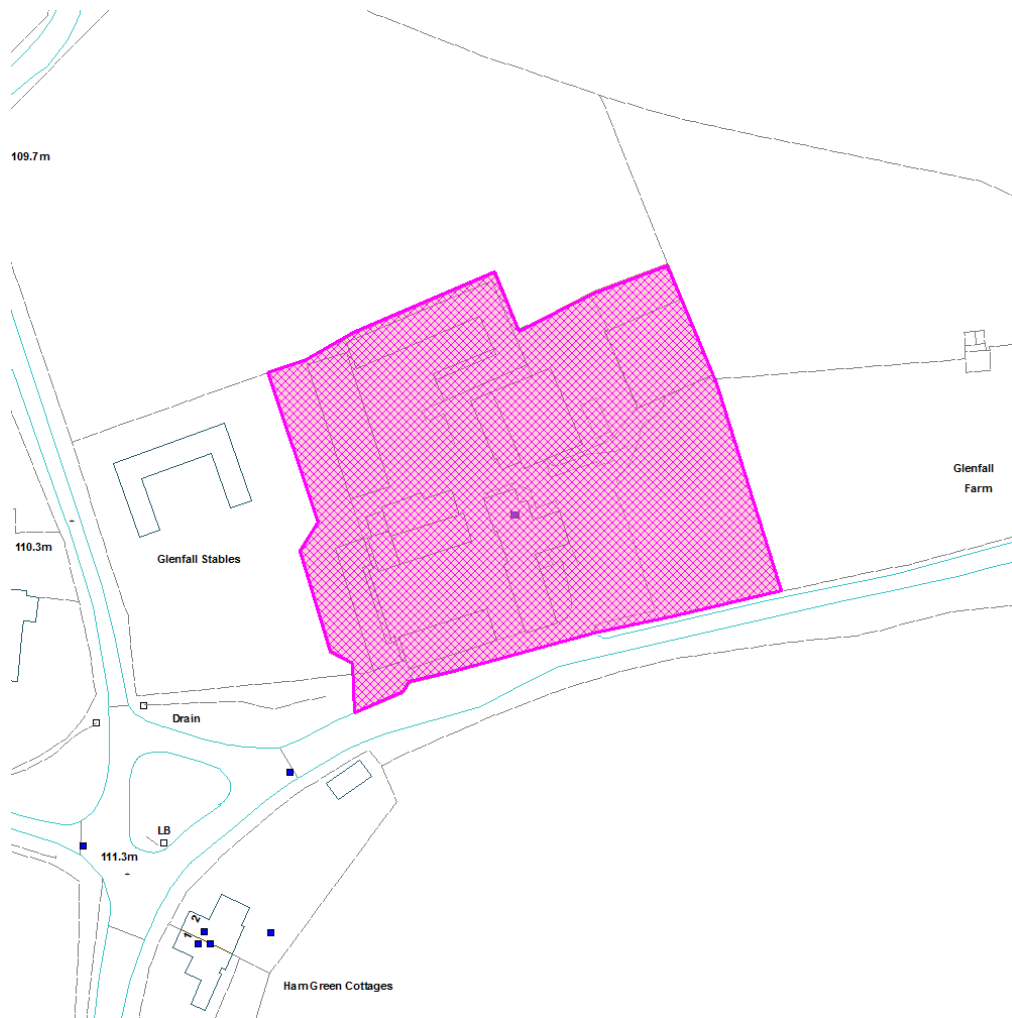


Managing Director



<b>APPLICATION NO:</b> 19/00611/FUL		<b>OFFICER:</b> Mr Gary Dickens	
<b>DATE REGISTERED:</b> 5th April 2019		<b>DATE OF EXPIRY:</b> 31st May 2019	
<b>DATE VALIDATED:</b> 5th April 2019		<b>DATE OF SITE VISIT:</b>	
<b>WARD:</b> Battledown		<b>PARISH:</b> Charlton Kings	
<b>APPLICANT:</b>	Mr Robert Deacon		
<b>AGENT:</b>	Steve Mitchell Building Design		
<b>LOCATION:</b>	Glenfall Farm Stables, Ham Road, Charlton Kings		
<b>PROPOSAL:</b>	Conversion of stable buildings to form three dwellings plus demolition of existing farmhouse and erection of new dwelling (revised scheme ref: 18/02547/FUL)		

**RECOMMENDATION:** Permit subject to conditions



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## 1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The application relates to Glenfall Stables on Ham Road. Planning permission was granted in 2018 (ref: 18/00633/COU) under delegated authority, which permitted the conversion of stable/farm buildings to create three dwellings, together with an extension and detached garage to the existing dwelling house on site.

1.2 A revised application was submitted in December 2018 (ref: 18/02547/FUL) for the conversion of existing stable / barn buildings to form three independent dwellings and the demolition of the existing farmhouse and erection of a replacement dwelling. The application was refused by Planning Committee in March this year for the following reason:

*“The proposed development lies within the Cotswolds Area of Outstanding Natural Beauty (AONB), where 'great weight' must be given to conserving the landscape and scenic beauty of the area.*

*Whilst the stable / barn conversion elements of the scheme, together with the demolition of the existing farmhouse, are deemed to be acceptable, the proposed replacement dwelling by virtue of its larger footprint, height and scale would represent an overdevelopment of the site. As a result, the replacement dwelling would fail to respect the existing landscape character of this sensitive location.*

*As such, the proposal is not considered to conserve the landscape and scenic beauty of the AONB and is therefore contrary to paragraph 172 of the NPPF and Policies SD6 and SD7 of the Joint Core Strategy.”*

1.3 The current application is for a similar scheme to that refused, but with a different design approach for the replacement dwelling. The proposal now before the planning committee is for a one and a half storey dwelling with a courtyard style footprint.

1.4 The application is before Members due to a Parish Council objection.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Area of Outstanding Natural Beauty  
Airport safeguarding over 10m  
Residents Associations

### **Relevant Planning History:**

**76/00341/PF 25th November 1976 PER**

Glenfall Farm Cheltenham Gloucestershire - Conversion Of Existing Tack Room And Stables To 3-Bedroom Private House And Addition Of Bedroom/Kitchen Block.

**82/00362/PF 4th November 1982 PER**

Glenfall Farm Cheltenham Gloucestershire - Siting Of Mobile Home For Groom For A Period Of Two Years In Accordance With The Revised Plan Received On 8.11.82

**84/00005/PF 16th March 1984 PER**

Glenfall Farm Cheltenham Gloucestershire - Erection Of Detached Garage.

**84/00731/PR 22nd November 1984 PER**

Glenfall Stables Mill Lane Cheltenham Gloucestershire - Renewal Of Temporary Permission For The Siting Of A Mobile Home

**85/00884/PF 26th September 1985 PER**

Erection Of New Barn To Provide Office, Tackroom, Wc And Six New Stables

**85/01105/PR 21st November 1985 PER**

Glenfall Stables Ham . Cheltenham Gloucestershire - Renewal Of Temporary Permission For Siting Of A Mobile Home

**86/01019/PF 23rd October 1986 PER**

Provision Of 13 New Stables

**87/01230/PR 26th November 1987 PER**

Glenfall Stables Ham . Cheltenham Gloucestershire - Siting Of Mobile Home(Renewal Of Temporary Permission)

**87/01367/PF 7th January 1988 REF**

Glenfall Stables Cheltenham Gloucestershire - Construction Of Two Detached Cottages,Car Parking And Lorry Parking Area

**88/01145/PF 23rd February 1989 REF**

Erection Of Extension To Existing Racing Stable Facilities For Staff Accommodation (Outline) (S.52 Not Completed, Appl Therefore Deemed Refused)

**89/01150/PM 26th October 1989 PER**

Extension Of Existing Racing Stable Facilities To Provide Staff Accommodation For 10 Persons, Parking And New Vehicular Access

**89/01394/PR 14th December 1989 PER**

Renewal Of Temporary Planning Permission For Siting Of Mobile Home

**92/00728/PF 24th September 1992 PER**

Erection Of Enclosure Over Existing Horse Walker

**07/01687/FUL 12th February 2008 PER**

Engineering works to provide all-weather canter track for the training and exercise of horses

**07/01688/CLEUD 22nd January 2008 CERTLE**

Certificate of lawfulness for the existing use of land for the training of horses

**13/01458/PREAPP 20th September 2013 CLO**

Erection of a replacement dwelling with demolition of existing home and stables

**17/00338/CLEUD 8th March 2017 CERTLE**

Application for a Lawful Development Certificate to establish the existing use as a residential dwelling not limited to occupation by a person employed or last employed locally in agriculture as defined in Section 221(1) of the Town & Country Planning Act 1962 or in Forestry or a dependent of such a person residing with him (but including a widow or widower of such a person) as required by Condition 3 of planning permission ref: CB10091/04

**17/00119/CLEUD 14th March 2017 CERTLE**

Building works resulting in the change to use as single dwelling houses involving development without planning permission specifically - the lawful development of 2 semi-detached dwelling houses under Use Class C3 which are not subject to occupancy conditions or Section 106 Legal Agreements.

**17/01715/PREAPP 19th October 2017 CLO**

Change of use from equestrian stables to residential use, conversion of existing equestrian buildings to create 3 no dwellings

**18/00633/COU 24th May 2018 PER**

Conversion of farm buildings to form three dwellings, plus small extension and detached garage to existing dwellinghouse.

**18/02238/PREAPP 8th November 2018 CLO**

Modify the current scheme

**18/02252/DISCON 29th November 2018 DISCHA**

Discharge of condition 3 (method statement) and condition 8 (highways construction method statement) on planning permission ref. 18/00633/COU

**18/02547/FUL 22nd March 2019 REF**

Conversion of stable buildings to form three dwellings plus demolition of existing farmhouse and erection of new dwelling (revised scheme ref: 18/00633/COU)

**19/00191/DISCON PCO**

Discharge of conditions 3 and 10 on planning permission 18/00633/COU - Structural Engineer report and Materials as noted and deposited samples for plot 1 (Stable block).

P1 - New Roof (West and North Range) - Natural blue / black slate. Retain roof to Ham Road (South Range) - Existing stone slates. Walls - horizontal cedar overlap boarding above blue brick base.

P2 - Roof - Curved Steel Colour Mid Grey. Walls - Curved Steel Colour Mid Grey & double planked with recessed shadow line - untreated durable timber above blue brick base.

**19/00297/AMEND 27th February 2019 PAMEND**

Non material amendment to planning permission 18/00633/COU (alteration to ridge alignment Plot 1)

**19/00588/CONDIT PDE**

Variation of condition 2 (Schedule of Approved Plans) on planning permission 18/00633/COU - minor material amendments to plots 1, 2 and 3.

### 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 8 Promoting healthy and safe communities

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 6 Trees and development

CO 4 Extension of Building in the AONB

CO 13 Conversion of rural buildings

## Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD6 Landscape

SD7 The Cotswolds Area of Outstanding Natural Beauty

SD10 Residential Development

SD14 Health and Environmental Quality

INF1 Transport Network

INF3 Green Infrastructure

## 4. CONSULTATIONS

### **Architects Panel**

*9th May 2019*

Design Concept:

The panel had reviewed the previous application on this site and had supported the scheme in principle. This scheme proposed to replace the existing dwelling which is of no architectural importance so the panel had no objection to the principle.

Design Detail:

Generally, the design of the new house was of a scale and character in keeping with the barn conversions. The panel had some reservations about the style of the single storey glazed rear extension which appeared out of character to the rest of the architecture, albeit it would probably not be seen from public vantage points.

Recommendation:

Support.

### **Land Drainage Officer**

*12th June 2019*

I am satisfied that the submitted surface water drainage strategy for the replacement dwelling at Glenfall Stables, adequately addresses the surface water discharge therefrom. The applicant should note that any new discharge/connection to the adjacent ordinary watercourse will require a Land Drainage Consent.

### **Building Control**

*8th April 2019*

The proposed works require Building Regulations approval

### **Parish Council**

*26th April 2019 - Objection*

The committee objects to the plans to demolish the old farmhouse and build a new dwelling in a different position on the site. The old farmhouse is a vital and historic dwelling in Ham village, it reflects its unique character and is an important asset to the setting of the AONB. By moving the proposed position on the site the harmony of the buildings one to another on the site has been lost. These latest plans are for a dwelling that could be placed anywhere without actual offence it is certainly not of the excellent design that we should expect to be proposed it is not worthy of the AONB.

It neither enhances or respects the village or the AONB

## **Ham Residents Association**

*25th April 2019*

The Ham Residents Association OBJECT to this application and support the opinions and concerns expressed by the neighbourhood, that have been submitted to the Planning Department.

We also ask the planners to take into consideration the comments that were submitted for application 18/02547/FUL and 18/00633/DISCON which are also valid and relevant to this current application.

18/02547/FUL was refused by the Cheltenham Planning Committee because it was an overdevelopment of the site and detrimental to the Cotswold AONB and the amenities of the settlement of Ham. This current application has not mitigated the reasons for objection and should be accordingly REFUSED.

This application has indeed raised increased concerns for the loss of character of the settlement due to the demolition of the existing historic dwelling and the extensive excavation and terracing of the landscape that are required to facilitate the proposed New Build and the associated access roads.

It is also noted that a perfectly acceptable and approved application 18/00633/COU is in existence, which maintains the character of the settlement.

The Ham Settled Lowlands, site Ref: LCA 8.1, described in the document "Landscape Character, Sensitivity and Capacity Assessment of Cotswold AONB within the Cheltenham Borough Administrative Area" 05-May 2016. Has been afforded the highest level of protection to preserve the area from overdevelopment and creeping urbanisation. This protection must be upheld.

The planning policies that have been created to protect the Rural Countryside and history of our Landscape must not be ignored to allow developers to destroy our heritage and encroach into the precious and dwindling countryside.

## **GCC Highways Planning Liaison Officer**

*29th April 2019*

I refer to the above application received in my department on the 8th April 2019 submitted with application form, site layout plan ref 1145.SP, proposed site layout ref 1145-3.02A and construction method statement.

The proposed encompasses the conversion of stable buildings to form three dwellings plus demolition of existing farmhouse and erection of new dwelling (revised scheme ref: 18/02547/FUL) at Glenfall Farm Stables Ham Road Charlton Kings Cheltenham.

It is noted the Highways Authority has recommended no objection to be raised to application ref 18/02547/FUL, which comprised equal number of dwellings proposed and scale of development.

The proposed access is characterised by the erection of a 1.6m high stone wall, for which the Highways Authority underlines a foreseeable cause of visibility obstruction to the right for vehicles accessing and egressing the site. Consequently, it is recommended the reduction in height of the wall to a maximum of 600mm so as to provide clear visibility above the carriageway level.

Recommendation:

The highways authority recommends no highways objection to be raised subject to the following conditions attached to any permission granted:-

Notwithstanding the submitted plans, the vehicular access shall not be brought into use until the proposed roadside frontage boundaries have been reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent carriageway level.

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

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan ref 1145-3.02A with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: - To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan ref 1145-3.02A, 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.

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

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

### 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.

## Gloucestershire Centre For Environmental Records

10th April 2019

Report available to view.

### 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	17
Total comments received	9
Number of objections	9
Number of supporting	0
General comment	0

- 5.1 Seventeen letters were sent to neighbouring properties and a site notice was also displayed. Nine objections have been received
- 5.2 Representations have been circulated in full to Members but, in brief, the main objections raised relate to:
- The loss of the existing farmhouse and erection of a replacement dwelling;
  - Design approach and choice of materials for the replacement dwelling;
  - Impact on the AONB and the character of Ham;
  - Impact on the 'dark skies' of the AONB and existing wildlife,
  - Potential loss of privacy through overlooking, and;
  - Impact on surface water drainage and the water table.

### 6. OFFICER COMMENTS

- 6.1 The principle of the conversion of the existing stables / barns has been fully established through the approval of the original application (ref: 18/00633/COU). This application confirmed that the identified stables and barns were structurally capable of being converted with no obvious signs of significant ground movement. Members did not raise any concerns over the conversion element of application ref: 18/02547/FUL and this did not form part of the refusal reason.
- 6.2 The majority of the design details within this application that relate to the conversions have recently been approved under a variation of condition application (ref: 19/00588/CONDIT). That application was submitted to vary the approved plans in order to regularise the works that are underway on site.
- 6.3 Overall the proposed conversion of the redundant rural buildings for residential purposes would be carried out in a sympathetic manner that would complement their surroundings and provide an enhancement to the character and appearance of the AONB.
- 6.4 **Demolition of existing farmhouse and erection of replacement dwelling**
- 6.5 The scheme that was before Members in March 2019 (and refused) proposed the demolition of the existing farmhouse. Demolition was not considered a significant factor in the refusal of that application. The previous officer report noted how the existing farmhouse "*is from the outside in a poor state of repair and, whilst as a whole it does not*



*negatively impact on the area, it does not significantly enhance the area in its current condition. The farmhouse is not listed nor locally indexed and neither is it considered worthy of being listed."*

- 6.6** No protection can be afforded to the existing building and the application is for a replacement dwelling which results in the same number of dwellings within the site as the approved scheme (four).
- 6.7** Officers remain of the opinion that whilst the loss of the farmhouse is clearly unfortunate as it does form an historical part of the site, given the points above the demolition is considered to be acceptable. The consideration must be therefore whether the scale, form and design of the replacement dwelling is appropriate for this sensitive setting.
- 6.8** For development within the AONB, paragraph 172 of the NPPF states how great weight should be given to conserving the landscape and scenic beauty of the AONB. Policy SD7 of the JCS requires proposals to conserve and, where appropriate, enhance the landscape and special qualities of the AONB. Members felt the previously proposed replacement dwelling was unacceptable as this was not in keeping with the surrounding area and was inappropriate in scale. As such it was deemed to harm the AONB and represented an overdevelopment of the site.
- 6.9** This application is for a one and a half storey dwelling located to the south east corner of the site and when viewed from the roadside will be approximately 2.5m from where the existing farmhouse is located. The overall height has been reduced by 1.2m compared to the previous scheme, measuring approximately 6.4m in height. The depth of the dwelling which would run parallel with Ham Road measures approximately 13.9m compared with the refused scheme which measured 19.9m. Whilst the replacement dwelling will sit higher within the site compared with the existing farmhouse, this will not be to a level that unacceptably dominates the site or the surrounding area.
- 6.10** The replacement dwelling will have an overall footprint of 201.7sqm. The existing farmhouse has permission to be extended which would result in a footprint of 183.9sqm, and when the approved carport is factored in, this increases to 219.9sqm. It would be difficult to argue therefore that this scheme will result in an overdevelopment of the site given the comparison between this and the current permission which allows the farmhouse to be extended and an outbuilding to be constructed.
- 6.11** In terms of design, the replacement dwelling will have a courtyard structure and will be finished with natural stone reclaimed from the demolished buildings with elements of timber cladding. A slate roof is proposed together with oak framed windows and stone cills. A contemporary approach is injected with a single storey element to the rear however this will be hidden from the public realm and contained within the site itself.
- 6.12** The proposed form is relatively traditional and will not result in the introduction of any form of alien materials or features either to the site or the immediate area. The proposal accords with paragraph 127 of the NPPF which states that development should be *"sympathetic to local character and history, including the surrounding built environment and landscape setting, while not discouraging appropriate innovation or change"*.
- 6.13** On balance, it is officer's opinion that the proposed development is sympathetic to the local character of the area and will conserve the special qualities of the AONB. A landscaping plan has been submitted which the Trees Officer is supportive of and this is considered to soften the impact of the development within the AONB. Notwithstanding the submitted information, the Highways Officer has requested the roadside boundary to be reduced to 0.6m in height to provide suitable visibility. A condition has been added accordingly to enforce this.
- 6.14 Impact on neighbouring property**

- 6.15** Policy SD14 of the JCS and Local Plan Policy CP4 both require development to not harm the amenity of adjoining neighbours. The potential loss of light, loss of outlook and loss of privacy is taken into account when assessing the impact on amenity.
- 6.16** A number of objections to the proposal have been received from neighbouring residents, primarily raising concerns over the loss of the existing farmhouse and the proposed replacement dwelling. These concerns are duly acknowledged and the points made are addressed in the sections above. In terms of neighbouring amenity, it is not considered that the proposal will cause a loss of light, loss of privacy or have any overbearing impact on neighbouring properties.
- 6.17** A comment has been received with regards to possible light pollution which can impact on the dark skies of the AONB. Given that the site already has permission which will result in 4 dwellings on site, officers do not consider the impact on these dark skies to be any significantly worse and light pollution will not dramatically increase as a result.
- 6.18 Environmental Impact**
- 6.19** In a semi-rural setting such as this there is a danger of development impacting on local bio-diversity. No protected species have been identified on or near to the site within this or recent applications on this site. The bat survey from the approved application (ref: 18/00633/COU) concluded that no bats were found to be roosting at the site and therefore no mitigation measures were required.
- 6.20 Drainage**
- 6.21** Some local concern has been raised with regards to the impact the development will have on surface water drainage and the high water table. As previously noted, three of the stable / barns have planning permission in place to be converted into residential dwellings and the storm water for these would be discharged to a nearby existing watercourse. This arrangement would be in-situ whether the buildings were being converted or not. Additionally, rain and foul water drainage works are 'managed' through approved document H (drainage and waste disposal) of the 2010 Building Regulations which the conversion works will be subject to.
- 6.22** The applicant has submitted a drainage strategy with regards to the replacement dwelling and the Local Authority's Land Drainage Officer has been consulted on this. The proposed strategy is considered to be satisfactory and no objection is raised. A condition has been included requesting final details of which SUDS scheme
- 6.23** The proposed site layout shows a new drainage ditch to an existing watercourse. Works that are likely to affect the flow in an ordinary watercourse require the separate consent of the Local Authority and an informative regarding this has been added for the applicant's attention.
- 6.24** The presence of a high water table is not necessarily a reason with which to withhold planning permission however if the water table is as high as has been suggested this may have an impact on the construction of the replacement dwelling. This will be addressed as part of the building regulations process. An informative has been added for the applicant's attention advising them to take appropriate measures during the construction phase and to consult with Severn Trent water should any damage to their equipment occur.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1** Whilst the level of concern raised by local residents is duly acknowledged, officers are required to consider the merits of the application based on current policy context. The loss

of the historic farmhouse building is regrettable, however this is not currently protected nor is it of a condition worthy of protection. The demolition of the building is therefore considered to be acceptable.

- 7.2** The applicant has taken on board previous Member comments and the refusal reason, submitting a revised scheme of a reduced scale and a more traditional design, utilising a number of materials from within the site itself. The application will provide a replacement dwelling of modern day living standards that is in-keeping with the character of the area in terms of size, form and design. The proposal will conserve the setting of the AONB and not result in any unacceptable harm, nor will it result in any new form of isolated residential development.
- 7.3** This revised scheme is considered to comply with the guidance set out within the NPPF as well as relevant adopted policies within the JCS and the Local Plan. The application is also considered to be consistent with the policies set out in the Cotswolds AONB Management Plan,
- 7.4** Taking all of the above into account, it is officer's recommendation to permit planning permission subject to the conditions below.

## 8. CONDITIONS

- 1 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.

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extensions or alterations require further consideration to safeguard the amenities of the area, having regard to Policies SD4, SD6 and SD7 of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (adopted 2017) and Policies CP4, CP7 and CO4 of the Cheltenham Borough Local Plan (adopted 2006).

- 3 The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan ref: 1145-3.02B, and those facilities shall be maintained available for those purposes thereafter.

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

- 4 Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed broadly in accordance with the submitted plan ref: 1145-03.02B with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public road and with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

## Page 60

Reason: - To reduce potential highway impact by ensuring that there is a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

- 5 Notwithstanding the submitted plans, the vehicular access shall not be brought into use until the proposed roadside frontage boundaries have been reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent carriageway level.

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

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

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

- 7 The external facing and roofing materials will be those as specified in drawing no. 1145-3.02B 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 SD4 of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (adopted 2017) and Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 8 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:

1) Chimneys, flues and any other extraction equipment;

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

- 9 The external doors, windows and rainwater goods will be those as specified in drawing no. 1145-3 02B 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 SD4 of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (adopted 2017) and Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 10 All landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or

plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

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).

- 11 All demolition, conversion and construction works and any mitigation measures must be completed in accordance with the submitted method statement dated 5th November 2018 and drawing no.s 1145. RSB1, 1145. RSB2 and 1145. RSB3 unless otherwise agreed in writing by the Local Planning Authority. If, during the course of the conversion works, problems are encountered which would result in works being carried out to the buildings which are not in accordance with the approved drawings and method statement, the applicant shall cease development on site and immediately notify the Local Planning Authority and submit details of mitigation measures and/or revised drawings to be approved in writing by the Local Planning Authority.

Reason: The application is in part to convert the existing buildings and has been considered and assessed in this light. If it transpires that this is not possible a fresh application will be necessary which would then be considered on the individual merits of the application.

- 12 Prior to the commencement of development for the replacement dwelling, 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 adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

### **INFORMATIVES**

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

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

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

- 2 The applicant should note that any new discharge / connection to the adjacent ordinary watercourse will require a Land Drainage Consent. Further details can be found here: <https://www.gloucestershire.gov.uk/planning-and-environment/flood-risk-management/land-drainage-consent/>

- 3 The applicant should be aware of the presence of a high water table and consult immediately with Severn Trent should any springs, pipes or equipment be affected through the construction works.

<b>APPLICATION NO:</b> 19/00611/FUL		<b>OFFICER:</b> Mr Gary Dickens	
<b>DATE REGISTERED:</b> 5th April 2019		<b>DATE OF EXPIRY :</b> 31st May 2019	
<b>WARD:</b> Battledown		<b>PARISH:</b> CHARLK	
<b>APPLICANT:</b>	Mr Robert Deacon		
<b>LOCATION:</b>	Glenfall Farm Stables, Ham Road, Charlton Kings		
<b>PROPOSAL:</b>	Conversion of stable buildings to form three dwellings plus demolition of existing farmhouse and erection of new dwelling (revised scheme ref: 18/02547/FUL)		

### REPRESENTATIONS

Number of contributors	<b>9</b>
Number of objections	<b>9</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

Wadleys Farm  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6NJ

**Comments:** 26th April 2019  
Letter attached.

2 Ham Green Cottages  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6ND

**Comments:** 14th April 2019  
Application 19/00611/FUL.

ANOB policy on Light Pollution & Dark Skies.

Plot 1, Elevation E3, shows the new Gable end Window and the FLAT Roof Link section. The window is described as "a high level, glazed panel" that gives a measured area of approximately 0.3 square meters.

Any glazed panel in this Gable end will be to the detriment of the amenity for users of Ham Road and the tranquillity of the ANOB, due to light pollution and light spillage onto public spaces, since this window is to a Living Room that would be illuminated at most times.

Plot 4, Ground floor plan, Living Space 1, shows an Eastward facing single story protrusion that is fully glazed on 3 sides as well as being equipped with a glazed roof panel. It is visible from Ham Road as well as Glenfall Farm and will be a major contributor to Light Pollution. This will be to the detriment of the neighbourhood and the AONB.

## Page 64

The Planning Application also states that Amenity Lighting & Security Lighting will be installed without giving any details on the Site Plan, such lighting is unacceptable if installed without careful thought and consultation.

This area of Ham is equipped with a single street light, for road safety, at the junction of Ham Road with Mill Lane and this is automatically dimmed overnight.

Development of Rural Buildings policy CO13.

Plot 4, while being an improvement over previous proposals is still unacceptable as it necessitates the demolition of a Cotswold stone building that is part of the history of the farmstead complex.

It will be the overpowering building on the site, at the proposed position, with a ridge elevation 1.67 meters (5' 6") above the Stone Barn.

Also, it has increases in footprint by 18% and volume by 37%. This would not have been permitted under policy CO3 or current policy CO7 (Green Belt, 15% volume increase or 75 cubic meters) and development in the AONB is afforded a Higher Protection Level than the Green Belt. The new build would fail this test.

This New Build and Site Layout will change the character from that of a compact complex of Farm Buildings to an Executive Housing Estate that contributes to the Urbanisation of the AONB.

Furthermore, to achieve the floor elevations as shown for this newbuild, extensive excavations & terracing of the site are required with a ground surface lowering of 1.7 meters being necessary. This is not detailed on the site plan and the application should not be considered until such information is made available, so that the impact of this can be considered properly.

**Comments:** 24th April 2019

Further to my original Objection I wish to add the additional comments.

I have serious concerns regarding the excavation and terracing of the landscape associated with plot 3 & 4, as indicated by the site layout plan and the site survey topological plan.

These indicate a very large area of the site is required to be excavated and terraced to achieve the buildings FFL GFL and driveway finished surface level.

The local water table is very close to the surface at this location of Ham Hill.

For example:

1). At Ham Green Cottages, approx. 80 yards away, there is a well in the garden where the average water level only varies between 100mm and 600mm below ground level through the year.

2). Local groundworks over the last 5 years have consistently struck a water saturated gravel layer as little as 45mm below ground.

3). Further above this development site, on Ham Hill, there are many springs that break the surface and, I believe 7 of these are harvested by Severn Trent Water Authority to supply a reservoir located, above Glenfall House, on Aggs Hill.

4). There are several properties further up Ham Hill that rely on Bore Holes for their water supply.

It is my understanding that there is an aquifer within the hill that is this source of this spring water.



## Page 65

Returning to the proposed lowering and terracing of the site topology at Glenfall stables, which the plans indicate is as much as 2000mm in places, serious concern is raised with the affect this would have on the water table, drainage and ground water extracted further above the site.

If the aquifer is breached there could be serious consequences.

Additionally;

Following a discussion with Gloucestershire Highways Department, relating to Plot 4, identified on the site Layout Plan and the associated boundary wall to the Highway of Ham Road.

This wall, a one meter high, stone construction, is shown to be immediately adjacent to the tarmac surface of the highway and outside the curtilage of the site.

It will pose a safety hazard to users of the road, in particular walkers and horse riders, due to the pinch point it creates in an already very narrow lane.

Note this road is not speed restricted having a National Speed Classification.

There is a culvert that runs down the north side of Ham Road and it is my understanding that this is the extent of the development site curtilage.

This boundary needs to be clarified, as does the current, wooden fence being on highway property, this is to insure road safety is upheld.

Field Way  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6NG

**Comments:** 26th April 2019

We wish to object to the above planning application to demolish the existing farmhouse as set out in our previous objection in our letter dated 14th January 2019 to application 18/00633/COU/FUL. The latest proposal will change the historic character of the cluster of farm buildings resulting in a significant historic and environmental loss to Ham, Charlton Kings, Cheltenham and the AONB. The change to a modern building, driveway and parking along with night time light spill will intrude onto the adjacent rural surroundings bringing unwelcome and unnecessary urbanization.

The proposed new building is taller and greater in size than the existing farmhouse and set further up Ham Hill. The 'comparison' illustration for plot 4 gives no detail but illustrates the excavation needed. Details of the excavation required should be given. Excavation is likely to result in problems with water levels in the vicinity. Local people remember well the flooding here in 2007 and the overspill of ditches and springs from Ham Hill and the resulting damage.

The original application was for renovation of the farmhouse which retained both the historic character of the cluster of the farm buildings and the fabric of the building itself. This was acceptable to all, already has planning approval and should not be substituted.

Wadleys Farm  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6NJ

**Comments:** 26th April 2019  
Letter attached.

Glenfall Farm  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6NH

**Comments:** 9th April 2019

As a neighbour, and resident of Ham for 40 years, and a member of the Ham residents association, I must once again object to the new proposal to demolish the existing period farmhouse and replace it with a brand new building in a different position on the site. The proposed new building will still be much higher and larger than the existing farmhouse and will appear to be even higher as the new site for the building is on higher ground.

I see no reason to demolish a perfectly suitable period farmhouse, especially as it is with the Cotswold AONB, which as everybody knows is a very sensitive area, purely to improve the layout of the site, there is no benefit to Ham visually, and in fact a new building of any design cannot improve on the appearance of the existing farmhouse more than the original plans to refurbish and extend which were passed without opposition.

I urge you to reject this new application in the same way as the two previous attempts have been rejected.

Glenfall Cottage  
Ham Lane  
Cheltenham  
Gloucestershire  
GL52 6NJ

**Comments:** 24th April 2019  
Letter attached.

3 Natton Cottages  
Ham Lane  
Cheltenham  
Gloucestershire  
GL52 6NJ

**Comments:** 24th April 2019  
Letter attached.

Old Ham House  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6ND

**Comments:** 25th April 2019

Re: Planning reference: Revised scheme - 19/00611/FUL, Glendale Farm Stables, Ham Rd.

I object strongly to this recent submission. The original plans to convert the existing farmhouse are sensitive to this area of outstanding natural beauty whilst satisfying the need for extra homes. Demolition of the original farmhouse, which is part of the history and character of the area, seems unnecessary, and will significantly alter the appearances and character of Ham.

The New Barn  
Ham Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL52 6ND

**Comments:** 16th April 2019

Thank you for contacting me on the above planning application

Our main concern is why a perfectly good Farmhouse, one of the original stables dating back some 150 years has to be demolished.

I understand that when the previous application went to planning committee the committee were in favour of refusing the application on grounds that the Farmhouse had history in Ham, going against the Councils recommendation to permit.

The new plans of plot 4 will still tower over the whole site even though the house is being proposed to be built into the bank.

I ask the Council and planning Committee to refuse the application.

Thank you.

Your ref.  
19/00611/

PLANNING  
Rec'd 28 APR 2019  
SERVICES

Page 68  
SERVICES  
Rec'd 28 APR 2019  
PLANNING

WADLEY'S FARM,  
HAM LANE,  
CHARLTON KINGS,  
WYOMING  
GL52 6NT  
24-4-19.

Dear Mr. Dickens,

I wish to object to the latest application by the developer to break away from his original permission to convert the farm buildings at Gleyfall Stables. The situation is perfectly simple, he was given permission to convert the existing dwelling house, plot 4, which under Policy CO13 of the Town Plan, permits no demolition or extensive rebuilding.

This is the second attempt to demolish it, move it away from the existing footprint, and rebuild it with a modern glassy style which bears no relationship to the original. This new build will be larger and higher, necessitating extensive earth moving to achieve the designed floor levels. It will be totally out of character with the remaining conversions, and will look just like any other executive new build, which as a new application, would never have been permitted.

The matter of amenity lighting is also worrying, surely there will be enough light overspill from the glazed windows already!

This application is surely against the constraints of Policy CO13 and there is no point in having expensive Town Plans if they are to be ignored by granting this application.

Yours sincerely,

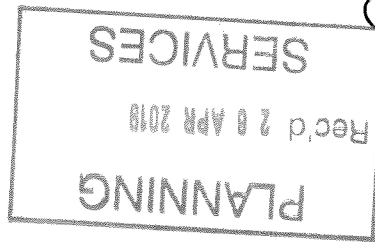


Ref: 19/00611/FUL

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Wadleys Farm,  
Ham Lane,  
Charlton Kings,  
GL52 6NT.

(Glenfall Stables)



25<sup>th</sup> April, '19.

Dear Sir,

The original application 18/00633/COU was permitted at Glenfall Stables with NO OBJECTIONS - indeed, I supported this application by letter on the grounds that: -

a) it adhered to Policies CO3, 4 and 13 and also Policy L2 "Conversions of Rural buildings" of the LATEST TOWN PLAN 2018.

b) There was no over-development of the site and the proposed changes were all in keeping with this locality of the A.O.N.B.

c) No major earth-moving works would be necessary.

This latest planning application does not adhere to any of the above. I cannot understand why a huge amount of money should be spent in the preparation of Policies and Town Plans - all agreed by the full Council and then for them to be ignored.

This current application requires MASSIVE earth moving works to achieve the floor level shown on the drawings, DEMOLITION of a

Cotswold-stone residence used as a dwelling and a COMPLETE REBUILD, not even in the footprint of the original farmhouse.

If permitted, this will not form an integral part of the Glenfall Stables' complex and be totally OBTRUSIVE at the foot of Ham Hill.

In my view DEMOLITION and REBUILD on this site should NOT BE PERMITTED (Town Plan L2, 2018) for it will completely change the nature of this farm buildings plot and certainly not enhance the AONB. I sincerely hope it will be REFUSED.

Has the change of materials on this site been permitted? I notice the subtle, mature, red pantiles on part of plot 1 have been removed and replaced by conspicuous new grey slates not at all in keeping with the Cotswold stone tiles, on the opposite side of this residence.

I would like to make a plea that on the roadside of Glenfall Stables, there MUST BE a verge for pedestrians' safety. I walk up Ham Hill on almost a daily basis. The road is narrow and needs to maintain the original verge as a refuge for walkers because of the ever-increasing amount of traffic using this road.

Yours faithfully,



Glenfall Cottages,  
Ham Lane,  
Charlton Kings,  
Cheltenham.  
Gloucestershire.  
GL52 6NJ

19th April 2019

Cheltenham Borough Council,  
PO Box 12,  
Municipal Offices,  
The Promenade,  
Cheltenham,  
GL50 1PP  
Attn:- Planning Officer.

Dear Sir / Madam,

**Re:- Planning Ref:- Revised Scheme - 19/00611/FUL – Glenfall Farm Stables Ham Road Charlton Kings Demolition of Existing Farmhouse Revised Plans @ 05/04/19 -OBJECTION.**


I refer to the above plan for the demolition of a perfectly functional and lived in farmhouse on a site which is important to the characteristics of the AONB in which I have lived for over 40 years. During this time the area has been under constant change and lately significant pressure to build properties which will destroy the very essence of the area.

Most of the changes to the well-established properties in the AONB area have been achieved with reasonable balance to both update but keep the essence that makes the area what it is.

The **original** application 18/00633/COU which was permitted struck just the right balance on what is a sensitive historic site as it promised **CONVERSION** and **NOT** Destruction of this highly visible feature in the area. The existing farmhouse is very important as it is seen clearly from the road and has the Cotswold features that make the AONB.

Quite rightly, the AONB's existence and development / updating is covered by legislation. By any measure the opportunity to update and convert and **not** destroy just for the sake of it – is what is required for this site and this latest application must be **rejected** for those reasons.

Yours faithfully,



3, Natton Cottages,  
Ham Lane,  
Charlton Kings,  
Cheltenham.  
Gloucestershire.  
GL52 6NJ

18<sup>th</sup> April 2019

Cheltenham Borough Council,  
PO Box 12,  
Municipal Offices,  
The Promenade,  
Cheltenham,  
GL50 1PP  
Attn:- Mr G Dickens – Planning Officer.

Dear Mr Dickens,

**Re:- Planning Ref:- 19/00611/FUL – Glenfall Farm Stables Ham Road Charlton Kings Demolition of Existing Farmhouse - Revised Plans @ 05/04/19 -OBJECTION.**

The AONB is a Local, National and Internationally recognised area with a long history of development and more important maturity. The buildings and the landscape have moulded with each other and part of the charm of the older buildings is the way they present to each other and not in straight lines. Another feature of the area is the traditional materials some of the buildings are built of – Cotswold Stone and Cotswold Stone Roof tiles – all maturing and part of the landscape and allowing wildlife to be part of the mix as well.

Glenfall Farm Stables is one of these historic sites with all the features represented. In the immediate area, while there have been no new buildings; conversions and extensions have been allowed which in the main have been carefully done to retain the old traditional features, but update where necessary. Another feature of this area is that it is essentially **Rural** with low light levels, narrow roads and the feeling one is in the country while being on the edge of the urban sprawl.

Because of all these features, it was deemed that the area was so special – it had to be protected and a set of regulations and agreements were drawn up and agreed to limit development in the area. These have apparently been agreed to be upheld by the various Local and National councils that impact the area.

It is of great concern to many residents of the area that, recently in particular, plans have been given 'Permit' – when the application of AONB rules – first, middle and last by planners, dictate that applications, particularly where houses are demolished and then some sort of box / greenhouse / unsuitable square aligned modern house built in its place, have to be rejected as totally unsuitable. This really has gotten to an unacceptable level, when the likes of the Civic Society comment such schemes are unsuitable. The Campaign to Protect Rural England and The Local Parish Council are also against as are many residents whose main concern is that the protections for the area are enforced!

In the light of the above rules, demolition of a perfectly serviceable house in the AONB is not permitted and this latest Application must be rejected for that very reason and to preserve the historic area as far as possible.

While the plan submitted is ONCE again short on detail, it is clear that the proposed new building is considerably higher than all that is there and will stand out like a sore thumb. The original application just to CONVERT the existing buildings for habitation by its nature of allowing people to live in the site will make for a higher level of light pollution than currently. However, the way this new building is proposed,



significantly increased light pollution both upwa<sup>a</sup> Page 73 Ham Road will occur – which is unacceptable in the area.

I note separately, that another respondent has advised both of the increased size of the building and that significant excavation will be required to attain the proposed floor levels. Such modernisation on this site with the introduction of straight lines – just for convenience and profit will irretrievably spoil this part of the area unnecessarily.

The original plan for this site submitted on the 23<sup>rd</sup> of May 2018 which attracted little comment from residents in the immediate area as it promised a sympathetic **conversion** of the stables with a **small** addition to the main farmhouse dwelling.

The design and promise was to keep the stables and farmhouse as close to its original appearance as possible and hence still sympathetic with the AONB of which the immediate area is known for.

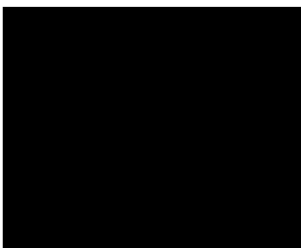
The key to doing this however, was and still is the retention of the farmhouse which is built of Cotswold stone and which is the main feature of the site, seen from the road by the not insignificant number of walkers and drivers.

In fact, there is actually NO valid reason proposed in the plans nor known by immediate residents, why there is any need whatsoever to demolish this building. The opportunity is to convert the existing site to make it as authentically original as possible. Any people who buy properties on the site will be the ones that appreciate both the originality and quirkiness that makes a Cotswold farm yard.

Given planners are supposed to be the guardians of the AONB particularly from attempts to destroy the old buildings that make the area (more so when they are still very serviceable). This proposal must be refused.

Given the recent history, it is also now a must that work on the site is paused and **DETAILED** plans with exact dimensions are drawn up to ensure the conversion is actually done properly to an agreed plan. This to ensure the result is in turn in keeping with the AONB and the objectives which make it the protected area it is and should be.

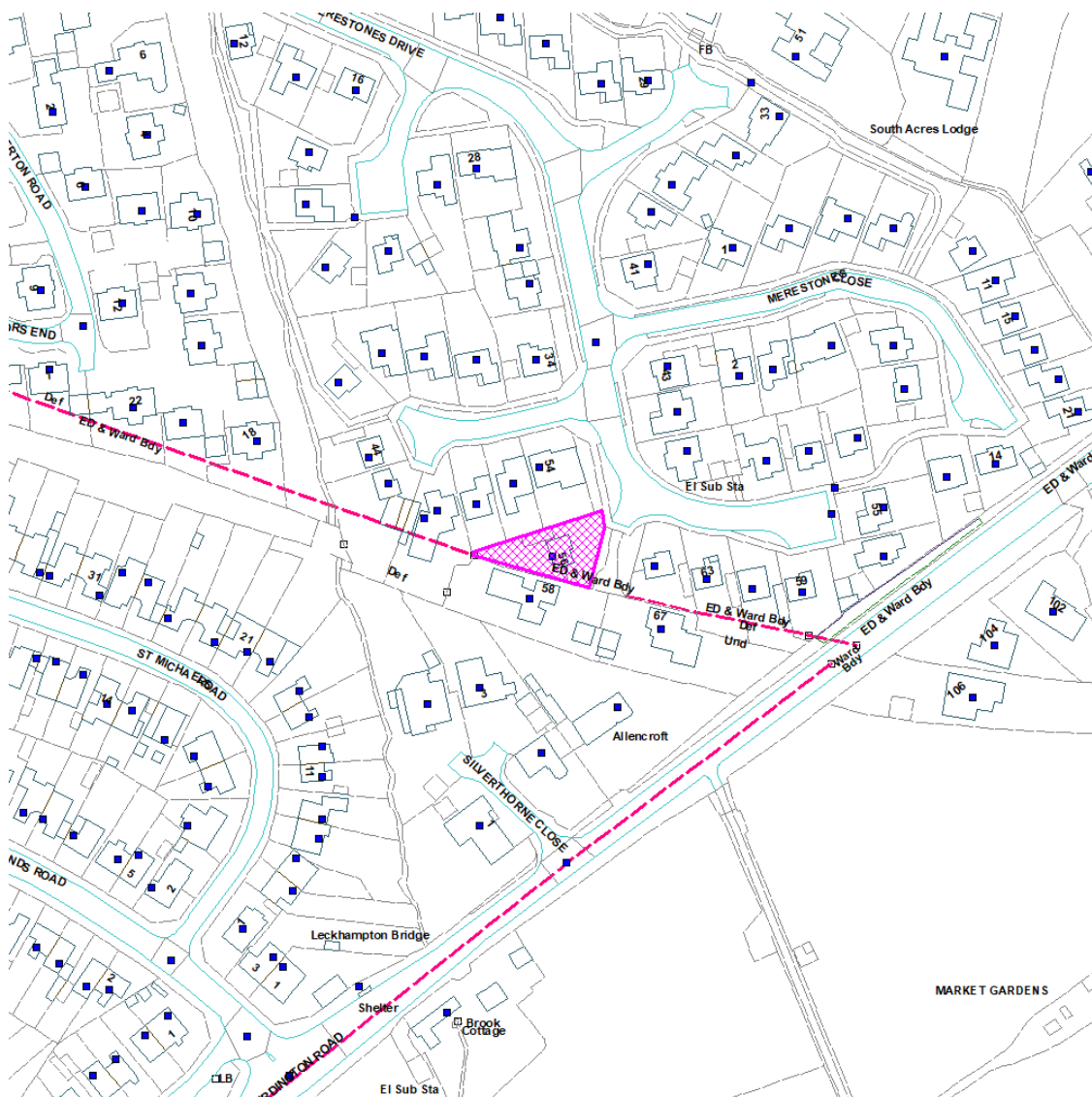
Yours sincerely,



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<b>APPLICATION NO:</b> 19/00745/FUL		<b>OFFICER:</b> Mrs Victoria Harris
<b>DATE REGISTERED:</b> 12th April 2019		<b>DATE OF EXPIRY:</b> 7th June 2019
<b>DATE VALIDATED:</b> 12th April 2019		<b>DATE OF SITE VISIT:</b> 2nd May 2019
<b>WARD:</b> Park		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Roy Smith	
<b>AGENT:</b>	BPL Architecture	
<b>LOCATION:</b>	56 Merestones Drive, Cheltenham	
<b>PROPOSAL:</b>	Two-storey side extension	

**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 site relates to a detached two-storey property located along Merestones Drive.
- 1.2 The application proposes the erection of a two-storey side extension.
- 1.3 The application is brought to Planning Committee at the request of Cllr Harman, on the following grounds;
- *Overbearing impact on the adjoining property which is a bungalow. The development is close to the boundary and will have a significant impact on the adjoining residents. There would be overlooking and loss of light.*
  - *Unacceptable high density and over development for an area which is well laid out.*
  - *The proposed extension would have a detrimental impact on the appearance of the area from the Road completely out of keeping with the area.*

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Smoke Control Order

### **Relevant Planning History:**

**19/00654/PREAPP 2nd April 2019 CLO**  
Two storey side extension

**77/00644/PF 31st August 1977 PER**  
Erection of boundary wall

**81/00974/PF 26th February 1981 PER**  
Provisions of chimney for ventilation for open gas/coal fire

## 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)

## 4. CONSULTATIONS

### Building Control

17th April 2019

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Borough Council on 01242 264321 for further information.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	9
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

5.1 9 letters were sent out to notify neighbouring properties of this application and in response to this publicity 2 objections have been received.

5.2 The planning objections related to;

- Impact on the character and appearance of the area.
- Impact on neighbouring amenity in terms of overbearing, loss of light and overlooking.

## 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 detached, pitched roof, brick property located within Park Ward. A number of neighbouring properties have been extended within the estate, these extensions differ in design, size and location. The majority of dwellings within the estate are detached and two storey, however there is no uniform pattern of plot size and gaps between the buildings, these differ from plot to plot.

6.5 There are two detached bungalows (67 and 58 Merestones Drive) to the south of the application site. There are limited views of the bungalows from the road given the position of 56 Merestones Drive and a high brick wall that runs along the front side boundary.

### 6.6 Design

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

6.8 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.

- 6.9** 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'.
- 6.10** In accordance with the Council's supplementary planning guidance – 'Residential Alterations and Extensions (2008)', a two storey side extension should normally be set back from the front, principal elevation with the roof of the extension set below the main roof height. The proposed side extension is shown flush with the front elevation. However, in this instance, the width of the resultant building is not considered excessive, the ridge height and eaves height are lower than the existing building and the brick pier detail on the corner of the front elevation will be retained so that the original form of the building can still be read. The fenestration pattern and facing materials will also match the parent dwelling.
- 6.11** The side boundary is at an angle so the gap between the extension and boundary will differ from 100mm to 3m. This is not an uncommon gap size within the street scene, and will not harm the character of the locality.
- 6.12** The extension will obscure the view of 58 Merestones Drive roof from the road, this is regrettable however given the existing limited views of this neighbouring property the harm is not significant enough to warrant the refusal of planning permission which could be defended at appeal.
- 6.13** As such, it is considered that the proposed development complies with the relevant policies and guidance in terms of achieving an acceptable design.
- 6.14 Impact on neighbouring property**
- 6.15** 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.
- 6.16** The neighbour at 58 Merestones Drive has objected to the extension on the grounds of overbearing impact, loss of light and loss of privacy.
- 6.17** No.58 has an obscure glazed kitchen door that will face the new extension, this door will be affected and will lose daylight as a result of the extension. Whilst the side extension will cause a loss of daylight to the neighbour's kitchen door, the kitchen which this door serves has a window that will be unaffected by the proposal. Therefore, it is considered that the neighbouring habitable room would not experience a significant loss of light as a result of the proposed side extension, owing to the other source of natural light. This is not an uncommon scenario and in rooms where there are additional light sources, the cumulative impact of these light sources has to be considered, rather than the value of each specific window. Essentially, what we are assessing is the amount of daylight that is lighting a room, not just the amount of daylight received by a particular light source.
- 6.18** With regards to overbearing impact, given that the kitchen door is obscure-glazed and the kitchen window is unaffected the proposal on balance will not cause unacceptable harm to the neighbours' outlook.
- 6.19** No windows are proposed to the side of the extension and a first floor obscure glazed ensuite window is proposed to the rear therefore the extension will not result in a loss of privacy. If members were to permit this application a condition is recommended that will ensure the first floor rear window is 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.

- 6.20** As such, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.

### 7. CONCLUSION AND RECOMMENDATION

- 7.1** Based on the above, the proposed two storey extension 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 no 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 first floor ensuite 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).

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<b>APPLICATION NO:</b> 19/00745/FUL		<b>OFFICER:</b> Mrs Victoria Harris	
<b>DATE REGISTERED:</b> 12th April 2019		<b>DATE OF EXPIRY :</b> 7th June 2019	
<b>WARD:</b> Park		<b>PARISH:</b>	
<b>APPLICANT:</b>	Mr Roy Smith		
<b>LOCATION:</b>	56 Merestones Drive, Cheltenham		
<b>PROPOSAL:</b>	Two storey side extension		

### REPRESENTATIONS

Number of contributors	<b>2</b>
Number of objections	<b>2</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

Merestones Residents' Association  
 1 Merestones Close  
 Cheltenham  
 Gloucestershire  
 GL50 2ST

**Comments:** 26th April 2019  
 Letter attached.

58 Merestones Drive  
 Cheltenham  
 Gloucestershire  
 GL50 2SS

**Comments:** 29th April 2019  
 Letter attached.

**Comments:** 30th April 2019  
 Letter attached.

**Comments:** 7th May 2019  
 Letter attached.

**Comments:** 13th May 2019  
 Letter attached.

PLANNING  
Rec'd 26 APR 2019  
SERVICES

**MERESTONES RESIDENTS ASSOCIATION**

1 Merestones Close, Cheltenham, Glos GL50 2ST

ATTN: Ms. V. HARRIS,

25<sup>th</sup> April 2019

Planning Department  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham GL50 9SA

Dear Sirs,

Ref. Planning Application 19/00745/Full  
56 Merestones Drive, GL50.

**The Merestones Association is aware of the above Planning Application and wishes to register our strong objections on behalf of our membership which comprises circa some 110 households.**

Since our formal formation in 1979, the policy has always been mediate between various residents who are applicants and eventually supporting the revised submission. The result of this well established procedure can be seen throughout the estate and a number of fairly recent submissions/developments can be seen to the advantage of everyone.

**In this specific case however, the applicant appears to completely ignore the adjoining owner's rights of light and privacy and attention is drawn to very close proximity of the proposal in relation to the boundary fence between the two properties. There is also no thought given to the 'bungalow – house' relationship.**

Would you please bear these points in mind when compiling your recommendations?

Yours faithfully,

  
Chartered Town Planner

  
Chairman



58 Merestones Drive,  
The Park,  
Cheltenham.  
GL50 2SS.

27<sup>th</sup> April 2019.

Chief Planning Officer


Reference planning application: 19/00745/FUL

We are aware of the above planning application in respect of a property which adjoins this address.

A subsequent perusal of the submission highlights a specific area of concern, namely that the proposed extension is intended to be sited as ALMOST TOUCHING OUR BOUNDARY FENCE. Therefore, this in turn gives rise to worries in respect of "rights of light", overlooking not to mention privacy issues.

Therefore on these grounds, we formally register our objections to the application in the strongest terms.

To clarify our situation, we feel a case officer, when compiling the case for committee perusal should actually visit these premises, where the exact situation, in the vicinity of our current back door can be seen and understood.

I am acting on behalf of my parents in this matter. If you wish to discuss the contents of this letter my office hours contact number is 

Yours Sincerely,



The Park,

Cheltenham.

GL50 2SS.

5<sup>th</sup> May 2019.

BPL Architecture

Sun Street

Tewkesbury

Reference planning application: 19/00745/FUL

Dear Sir,

Thank you for your reply to my earlier letter in respect of the above planning application. As explained, should the submission be approved, we would be unable to allow construction access through this property [REDACTED] and we did not wish your clients to be confronted with an embarrassing impasse at the outset. Therefore, in this respect your comments / reply was appreciated.

Unfortunately however, we are unable to withdraw our strong objections to the application because whatever the normative planning reasons might be, the fact remains that our bungalow will be overshadowed by a vast brick wall, **two storeys high**, and seeming to be creeping ever closer to our property. The point you make about the window overlooking would be covered by normal building regulations in any event.

To summarize, I personally feel that should either your clients or your good self be in our exact situation, the feelings would be mutual. I've copied this reply to the council for the public record.

Yours Sincerely,

[REDACTED]



58 Merestones Drive,  
The Park,  
Cheltenham.  
GL50 2SS.

5<sup>th</sup> May 2019.

Chief Planning Officer

Reference planning application: 19/00745/FUL

Victoria Harris, your representative, asserted that notification letters had been sent to neighbours on 16<sup>th</sup> April when she visited site 2<sup>nd</sup> May (and again in her email to Cllr Tim Harman on 2<sup>nd</sup> May 2019). This was not the case (even your receptionist admitted there had been a computer "malfunction") when I visited the council offices on 26<sup>th</sup> April. The letters were not sent out till after the visit on 2<sup>nd</sup> May and eventually arrived 3<sup>rd</sup> May.

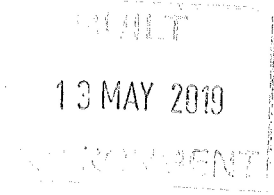
Yours Sincerely,



The Park,

Cheltenham.

GL50 2SS.



12<sup>th</sup> May 2019.

Chief Planning Officer

Reference planning application: 19/00745/FUL

We understand this planning application is going to committee and would like to draw the attention of the committee to the following points:

**The proposed development is over-bearing compared with its neighbouring property.** This development is being situated close to the boundary and towers over the adjoining bungalow and would therefore have an overbearing and visually intrusive impact.

**Unacceptably high density / over-development of the site.** Merestones Drive is a low density development. The size and closeness of this development will disturb this balance.

**Adverse effect on the residential amenity of neighbours, by reason of overlooking, loss of privacy, overshadowing and loss of light.** Of particular concern is the loss of light and overshadowing. There will be a significant reduction in the light from the side door into the kitchen and bathroom window especially during the morning hours. The footpath down the side of the bungalow, between the two properties would be similarly affected.

**Impact on view of property from outside.** This development, due its size and height will totally obscure the bungalow from the main road inconveniencing visitors, delivery vehicles and potentially emergency vehicle not familiar with its location.

And [REDACTED] noise and disturbance during construction. [REDACTED] they spend more time at home than your average working couple and the impact would thus be more severe.

Yours Sincerely

