



CHELTENHAM BOROUGH COUNCIL

Notice of a meeting of Planning Committee

**Thursday, 19 March 2020
6.00 pm
Council Chamber - Municipal Offices**

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Stephen Cooke, Diggory Seacome, Victoria Atherstone, Bernard Fisher, Dilys Barrell, Mike Collins, Alex Hegenbarth, 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

Important Notice

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Agenda

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. DECLARATIONS OF INDEPENDENT SITE VISITS**
- 4. PUBLIC QUESTIONS**
- 5. MINUTES OF LAST MEETING** (Pages 7 - 8)
- 6. PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**

- a) **20/00214/CONDIT Wyastone Hotel, Parabola Road** (Pages 9 - 22)
 - b) **19/02449/FUL Kyle Lodge, Greenway Lane** (Pages 23 - 76)
 - c) **20/00154/FUL Oakfield House Stables, Greenway Lane** (Pages 77 - 112)
 - d) **20/00327/CONDIT Cheltenham Enterprise Centre, Central Way** (Pages 113 - 118)
- 7. APPEAL UPDATES** (Pages 119 - 122)
- 8. ANY OTHER ITEMS THE CHAIRMAN DETERMINES URGENT AND REQUIRES A DECISION**

Contact Officer: Democratic Services,
Email: builtenvironment@cheltenham.gov.uk

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Planning Committee

Thursday, 20th February, 2020

6.00 - 6.15 pm

Attendees	
Councillors:	Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Stephen Cooke, Councillor Diggory Seacome, Councillor Victoria Atherstone, Councillor Bernard Fisher, Councillor Mike Collins, Councillor Alex Hegenbarth, Councillor Paul McCloskey, Councillor Tony Oliver and Councillor John Payne
Officers in Attendance:	Craig Hemphill (Principal Planning Officer) and Lucy White

1. Apologies

Councillor Barrell and Councillor Wheeler

2. Declarations of Interest

Councillor Cook said that his son used to work as a lifeguard at the lido.

3. Declarations of independent site visits

Councillor Fisher stated that he went on a site visit to Sandford Park House on 20/02/20.

4. Public Questions

There were no public questions at this meeting.

5. Minutes of last meeting

Minutes for the meeting on 16/01/20 were approved.

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

7. 19/01735/FUL & LBC Sandford Park House

Lucy White (Planning Officer) explained that the permission is for the property at Sandford Park House for change of use and to convert it into 12 apartments.

There were no further questions or comments.

Chair moved to a vote.

Vote 1 - In favour of the proposal – Unanimous Result in favour

Vote 2 – Listed Building Status – Unanimous Result in favour

8. 19/02430/LBC Sandford Lido

Craig Hemphill (Planning Officer) explained that the permission is for minor internal alterations to a wall and the ceiling of the café foyer and server entrance within the existing café building.

VA stated that she is in favour of removing the fake ceiling and thinks that the property will be much improved.

SC added that he was very in favour of this as it will improve the environment for both staff and visitors.

AH Also agreed

Chair moved to a vote

Vote for Listed Building Consent – Unanimous vote in favour

9. 19/02438/FUL & LBC Sandford Lido

Craig Hemphill (Planning Officer) explained that the applicant is seeking planning permission and listed building consent for the siting of a Portakabin to be used as an office including welfare facilities. The site is located on the site of a gym building which has now been demolished.

Matter then opened to members

SC – Acknowledged that the Lido is a jewel in Cheltenham's crown and it is important to preserve it. He raised a concern that temporary buildings aren't always temporary (could be there for longer than 3 years) and this is a concern of the Civic Society as is the type of portakabin they chose. He asked that maybe the Civic Society could be consulted about this alongside the Lido. He did very much emphasise that he would be supporting the proposal.

GB – Confirmed that this is just one step of the process and that everything has to go through the Planning Committee.

Planning Officer - Confirmed that there is a 3 year consent and this matter can then be reviewed. The Lido are aware of this and will review their own directives at that point, further discussion can then take place if needed.

RH – Stated that the Lido is currently raising money for several millions of pounds of improvements, mostly for improvements more significant than this development which is bound to be temporary. There was also reference made to previous building on site that lasted a long time.

Chair moved to a vote

Vote 1 – in favour of proposal – in favour – Unanimous

Vote 2 Listed Building status – in favour - Unanimous

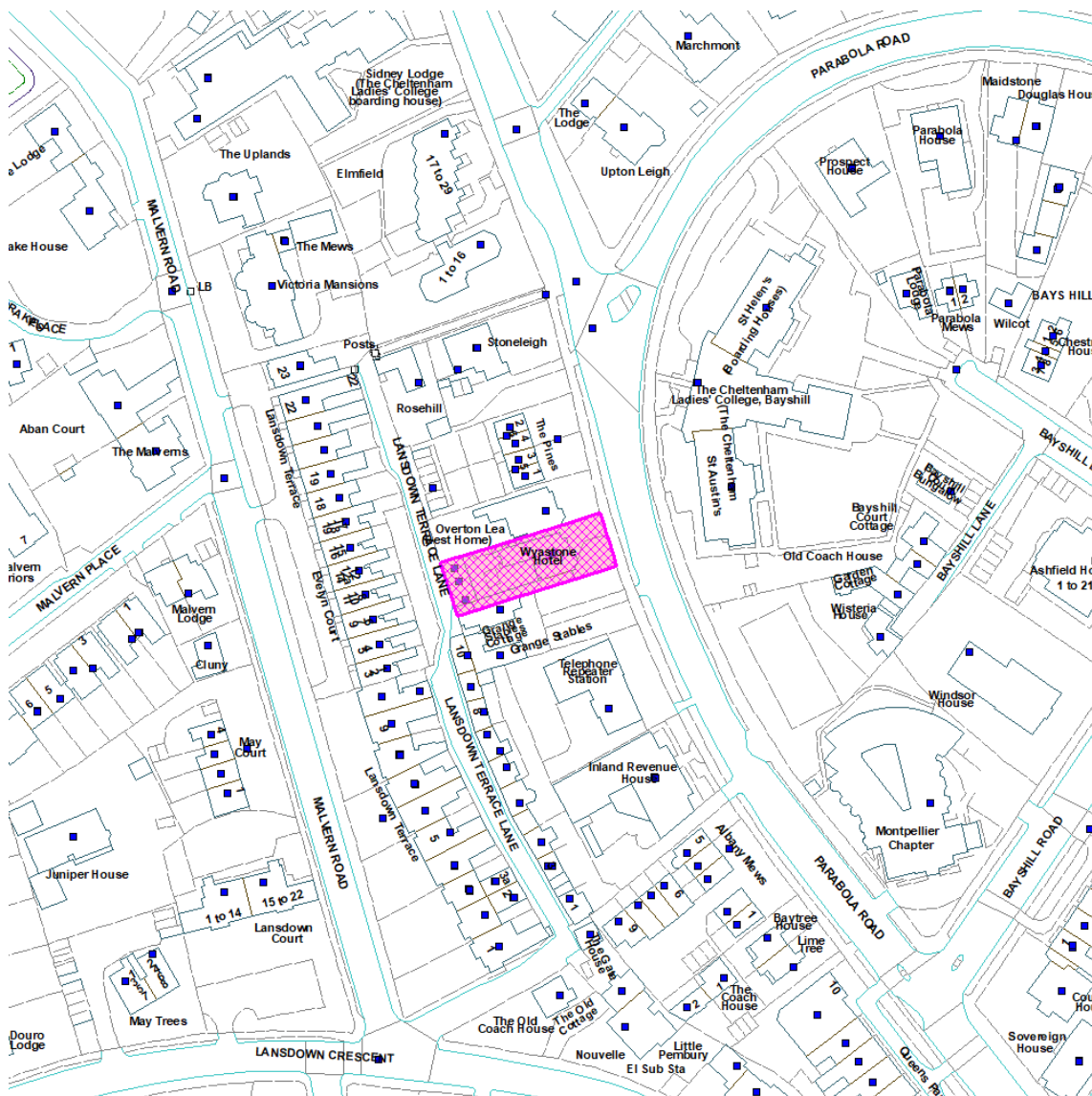
10. Appeal Updates

No notes on appeal updates

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

APPLICATION NO: 20/00214/CONDIT	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 5th February 2020	DATE OF EXPIRY: 1st April 2020
DATE VALIDATED: 5th February 2020	DATE OF SITE VISIT: 12 th February 2020
WARD: Lansdown	PARISH:
APPLICANT: Mr J Krauer	
AGENT:	
LOCATION: Wyastone Hotel, Parabola Road, Cheltenham	
PROPOSAL: Variation of condition 2 on Planning permission 17/01835/FUL	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to the former detached 2-storey garage building originally associated with the Wyastone Hotel. The 2 storey building is located to the rear of the former Wyastone Hotel and is accessed from Lansdown Terrace Lane.
- 1.2 Planning permission was granted in November 2017 for the change of use of the hotel (Class C1) and coach house to two independent dwellings (Class C3) and the change of use and external alterations of the rear garage building to create three dwellings.
- 1.3 Applications to vary conditions attached to a planning permission are known as s.73 applications and are commonly used to vary approved schemes where the proposed revisions constitute a material change but do not alter the overall form, character or description of development. The consultation process is the same as a planning application and a new decision, along with relevant conditions is issued at the end of the process.
- 1.4 The proposed amendments relate to a change in the doors, windows and rainwater goods. The current approved plans show white painted doors and windows. The windows had the appearance of sash windows however this was not specified or conditioned. The proposed plans show powder coated aluminium grey windows and doors and grey rainwater goods.
- 1.5 The application is at committee at the request of Cllr Seacome because the proposal is not in accordance with the original application; the windows now grey and not white and no longer sash window openings.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Local Listing
Principal Urban Area
Smoke Control Order

Relevant Planning History:

02/00568/CONDIT 28th June 2002 PER

Removal of condition 2 on planning application CB14134/04 requiring the dwelling and utility area to be used in connection with the Wyastone Hotel for occupation by the proprietor/manager of the hotel and for storage of hotel equipment

04/01238/COU 13th September 2004 REF

Change of use of The Coach House from hotel rooms to private dwelling with minor alterations

05/01291/COU 10th October 2005 PER

Change of use of the coach house from hotel rooms to private dwelling with minor alterations

09/01300/FUL 28th October 2009 PER

Modifications to existing roof with additional modified dormers and rooflights - revised proposal following withdrawal of previous application under ref. 08/00828/FUL

10/01678/COU 14th December 2010 PER

Change of use of first floor rear annexe from owners/manager's accommodation and utility and storage space to 3 letting rooms in connection with existing hotel

17/01835/FUL 17th November 2017 PER

Change of use of hotel (class c1) and coach house to two independent dwellings (class c3), change of use and external alterations of rear annexe to create three 1-bed dwellings; and use of associated land as domestic curtilages.

19/00919/AMEND 4th June 2019 PAMEND

Non material amendment to planning permission ref. 17/01835/FUL - minor door and window alterations to rear annexe

19/01045/DISCON 13th June 2019 DISCHA

Discharge of conditions 3 and 7 on Planning Permission 17/01835/FUL - External render colours and highways construction management plan

19/02217/ADV 10th December 2019 GRANT

2 no. 0.9m x 1.8m freestanding signs advertising properties for sale

10/01678/COU 4_PERP

Change of use of first floor rear annexe from owners/manager's accommodation and utility and storage space to 3 letting rooms in connection with existing hotel

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 8 Promoting healthy and safe communities

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

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

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

4. CONSULTATIONS

None

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	23
Total comments received	7
Number of objections	7
Number of supporting	0
General comment	0

5.1 23 letters were sent to neighbouring properties, a site notice was displayed and an advert was published in the Gloucestershire Echo. In response to this publicity, 6 objections have been received. The planning objections related to;

- Concern that extra bedroom will increase demand for parking/inadequate parking for 2 bedroom houses. Highway safety.
- Impact on privacy
- Design not in keeping with the location.

6. OFFICER COMMENTS

6.1 Determining Issues

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

6.3 The site and its context

6.4 The application site is within the Principle Urban Area of Cheltenham and the principle of development/change of use to provide three houses has been accepted through the granting of planning permission 17/01835/FUL.

6.5 This application seeks retrospective planning permission for powder coated aluminium grey windows and doors and rainwater goods to replace the approved white painted windows and doors and rainwater goods. Therefore, the consideration of this application relates purely to the acceptability of the proposed fenestration and rainwater goods and it is not possible to revisit any other issue in relation to these new dwellings.

6.6 Fall-Back Position

6.7 Members will be aware that sometimes a 'fall-back' position is established for sites. This relates to development and alterations which could be carried out lawfully on the site in the absence of the current application.

6.8 In this instance, planning permission would not specifically be required to alter the number of bedrooms within a dwelling. For example, a large bedroom could be subdivided to create two bedrooms or a dining room or study could be used as a bedroom without the need for planning permission.

6.9 Design

6.10 Local Plan policy CP7 (design) requires all new development to be of a high standard of architectural design and development should complement and respect neighbouring development and the character of the locality. Additional design principles are set out within adopted JCS policy SD4.

- 6.11** It is regrettable that the windows and doors installed are not in accordance with the approved plans; however this would not in itself be a reason to refuse the planning application. That said, the merits of the alternative windows will need to be assessed in terms of their impact upon the character and appearance of both the existing building and wider conservation area.
- 6.12** The application site comprises of a modern building built in the early 1990s and is located within the Central Conservation Area (Lansdown/Bayshill Character Areas) and close to a number of listed buildings.
- 6.13** The grey aluminium windows, doors and rainwater goods are of a contemporary high quality design and are of an appropriate material and colour given the age of the building. Officers do not consider that they would impact negatively upon the dwellings themselves or the character or appearance of the wider area.
- 6.14** The proposed windows, doors and rainwater goods are therefore considered acceptable and comply with policy SD4 of the Joint Core Strategy and saved Local Plan policy CP7.

6.15 Impact on neighbouring property

- 6.16** Saved Local Plan policy CP4 (safe and sustainable living) advises that development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users or the locality. The policy is consistent with advice set out within adopted JCS policy SD14.
- 6.17** The front first floor windows have been installed as clear glazed openings. A number of neighbouring properties have objected to these clear glazed windows because of the impact on privacy.
- 6.18** On planning application 17/01835/FUL the windows were conditioned to ensure at all times the windows were glazed with obscure glass. See below condition;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the front first floor windows to the three 1-bed dwellings shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

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

- 6.19** Supplementary planning document 'Residential Alterations and Extensions' states that to ensure privacy is maintained, facing windows to habitable rooms (living, dining and bedroom) should be a minimum of 21 metres apart, with at least 10.5 metres from window to boundary.
- 6.20** Similarly, Policy CP4 (note 4) sets out that the Council will apply the following minimum distances:
- 21 metres between dwellings which face each other where both have windows with clear glazing
 - 12 metres between dwellings, which face each other where only one has windows with clear glazing.
- 6.21** It is noted that the first floor windows on the front elevation are within approximately 7m of the shared rear amenity space of Evelyn Court and approximately 14m from the neighbours' windows in the rear wing of Evelyn Court. The new clear glazed windows (as

initially proposed) failed to achieve the minimal distances as set out in CP4 and therefore would have had an unacceptable impact on neighbouring amenity.

6.22 The plans have therefore been revised and the front first floor windows are now shown as obscure glazed openings to ensure the privacy of the adjacent properties is protected.

6.23 As such, it is considered that the proposal accords with the aims of policy CP4 of the Local Plan and policy SD14 of the JCS.

6.24 Access and highway issues

6.25 Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission should be granted where the highway impacts of the development would not be severe.

6.26 A number of local residents have raised concerns that, due to the increase in accommodation within the properties from 1 to 2 bedrooms, the proposal would result in additional cars parking on the highway, causing safety and congestion concerns.

6.27 When considering the original application, the Highway Authority had no objection to the principle of no off street parking being provided for the 3 x 1 bed dwellings.

6.28 The site is located in a sustainable location with more than acceptable access to public transport and local amenities and facilities. Given the site's location, the increase in bedrooms from 1 to 2 should not result in a severe impact on the highway network, which is the test outlined in JCS policy INF1 and the NPPF.

6.29 In any event, it must be remembered that, as outlined in section 6.8, these works would be capable of being carried out under permitted development, were the houses complete.

6.30 Therefore it is not considered that the proposal results in an unacceptable impact on the highway network.

7. CONCLUSION AND RECOMMENDATION

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

8. CONDITIONS / INFORMATIVES

1 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice and in accordance with the approved plans listed in Condition 1 of the decision notice issued under planning permission ref. 17/01835/FUL, 19/00919/AMEND and 19/01045/DISCON which are not superseded by the granting of this planning permission.

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

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

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

- 3 The development hereby approved shall not be occupied unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times

Reason: To ensure adequate provision and availability of cycle parking, having regard to Policy TP 6 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 The development hereby approved shall not be occupied unless the bin storage has been provided in accordance with the approved plans. The bin storage shall be retained in accordance with the approved plans at all times

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

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

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

- 6 The development shall be carried out in accordance with the submitted details for the exterior colour previously approved under planning ref. 19/01045/DISCON.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 7 The development shall be carried out in accordance with the submitted Highways Construction Management Plan previously approved under planning ref. 19/01045/DISCON.

Reason: In the interests of highway safety, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006). This information is required up front because highway safety could otherwise be compromised at the beginning of construction.

INFORMATIVES

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

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

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

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APPLICATION NO: 20/00214/CONDIT		OFFICER: Mrs Victoria Harris	
DATE REGISTERED: 5th February 2020		DATE OF EXPIRY : 1st April 2020	
WARD: Lansdown		PARISH:	
APPLICANT:	Mr J Krauer		
LOCATION:	Wyastone Hotel Parabola Road Cheltenham		
PROPOSAL:	Variation of condition 2 on Planning permission 17/01835/FUL - to reflect the as built changes and improve design		

REPRESENTATIONS

Number of contributors	6
Number of objections	6
Number of representations	0
Number of supporting	0

Evelyn Court
 Malvern Road
 Cheltenham
 Gloucestershire
 GL50 2JR

Comments: 23rd February 2020

Evelyn Court (Cheltenham) Limited is the freeholder and management company for the 19 properties and communal areas comprising Evelyn Court. Our responsibilities include maintaining Evelyn Court's communal areas on behalf of our leaseholders as well as waste management.

Condition 6 : The Management Committee of Evelyn Court objects to the removal of condition 6. Evelyn Court's residents utilise the gardens at Evelyn Court, which back onto Lansdown Terrace Lane. The proximity of the development to our gardens (within several meters, directly overlooking) compromises the privacy of our gardens. We therefore object to any removal of the obscured glazing condition.

Condition 2 : The Management Committee of Evelyn Court objects to the variation of condition 2, specifically the internal layout changes from a 1-bedroom to 2-bedroom design. The provision of 1 bike space per dwelling in the bike storage area is not proposed to increase, despite the doubling of bedrooms available. There is also no provision for off-street parking for these dwellings. As a result, the demand for on-street parking in the lane is likely to increase, as will associated vehicle noise. Parking in Lansdown Terrace Lane is very limited; the lane is tight with few passing places. The council frequently has difficulty getting down the lane to service our communal recycling and refuse areas, due to parked or manoeuvring vehicles. If the design is to be changed to 2-bedroom dwellings, we request that consideration is made into placing a section 106 planning obligation on the dwellings, removing eligibility of future occupiers for residents' parking permits.

17 Evelyn Court
Malvern Road
Cheltenham
Gloucestershire
GL50 2JR

Comments: 15th February 2020

I wish to strongly object to the above planning application on the following grounds

1. The requirement for obscured glazing for the upper floor windows was to protect the privacy of the neighbours as the development is within 7 metres of the shared amenity space for Evelyn Court. It is immaterial whether the view from the first floor windows is from a bathroom or a bedroom, it still results in a loss of privacy for the residents of Evelyn Court.
2. The colours of the windows, downpipes and render are not in keeping with the location. The windows in particular should be white as per the original consent.
3. I consider this application to grant permission for what has been built rather than what was originally granted planning permission shows the contempt the developer has for both the planning process and the local residents. Throughout the building work contractors have failed to keep their vehicles, plant and materials within the site boundaries as undertaken in the Construction Method Statement submitted. This has caused annoyance and inconvenience to local residents and the council's refuse collectors have not always been able to collect rubbish and recycling.

Comments: 10th March 2020

I see, that as well as the other unsightly aspects of this development, waste pipes have now appeared on the front of the building. As previously stated by other objectors from Evelyn Court, the exterior appearance of these three houses is far from the original planning consent and I feel that any alterations from that consent should be strongly resited.

8 Evelyn Court
Malvern Road
Cheltenham
Gloucestershire
GL50 2JR

Comments: 21st February 2020

As a householder in Evelyn Court directly overlooking (from the first floor) this property I strongly object to the above planning application:

1. Obscured Glazing:

My privacy would be compromised by the removal of obscured glazing for the 1st floor of the property. I have a bedroom, bathroom and kitchen directly overlooking the property and is also within a small distance of our shared garden. I believe the change is requested as it is now a bedroom however the loss of privacy would still be significant regardless of whether this is a bathroom or a bedroom. The loss of privacy was noted by the planning officer in the initial application.

2. Render and Drain Pipes

These are not in keeping with the Lansdown Conservation area and stand out amongst other buildings in the area. The window frames are meant to be white as per the original plans and the builder clearly had no intention of installing white (sash) windows as the current windows were installed early on in the build to make the building watertight. The overall combination of the previous hotel and this building was described by a visitor as "it looks like a Gulag". It is garish and frankly looks out of keeping with the neighbouring properties.

3. General

The developer/builder seems to have had no intention to adhere to the original plan. Furthermore, the changes appear to be intentional and planned i.e. they had no intention of adhering to the original planning approval or changes recommended by the planning officers. The overall impact on our street and outlook is significant. Evelyn Court is one of Cheltenham's "gems" and the owners of the various properties have made significant investments in the upkeep of the building, for which we have received civic awards. It seems inconceivable that developers don't show similar respect for the heritage of Cheltenham's iconic landscape.

Finally, it is also worth noting that the planning team gave permission for previous changes without consultation which is disappointing as I could have made objections at an earlier stage.

Comments: 11th March 2020

I continue to object strongly to these changes. Drain pipes are now being installed to the front of the building and it continues to be an eyesore in our local area. It seems that contractors are able to apply for retrospective planning permission regardless of the significant impact it has on the residents.

6 Evelyn Court
Malvern Road
Cheltenham
Gloucestershire
GL50 2JR

Comments: 23rd February 2020

I have the following objections to this planning application.

- A. The need for obscured glazing remains. The property overlooks mine, and also both my garden and the Evelyn Court communal one, and our privacy is compromised accordingly.
- B. The elevation facing the rear of Evelyn Court is not in keeping with the rest of the neighbourhood. Sash windows were originally proposed, and have now been replaced with cheap modern ones, and the rendering is unsympathetic and ugly.
- C. The increase to two bedrooms from the original one will increase the pressure on parking in Lansdown Terrace Lane, which is a narrow cul-de-sac. Council vehicles using it regularly will be severely inconvenienced.

2 Evelyn Court
Malvern Road
Cheltenham
Gloucestershire
GL50 2JR

Comments: 24th February 2020

I overlook the front and side (west and south elevations) of the development and am a regular user of Lansdown Terrace Lane.

With regards the request to retrospectively vary condition 2, my opinion is that the amendments proposed (style/colour of windows, doors and rainwater goods) will harm the character and appearance of this development and its surroundings. Specifically:

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1. This building previously had white sash windows. The Officer Report on the original planning decision took into consideration that "The new windows match the existing and are of a traditional design." The developers are now deviating from this, having instead installed modern grey metal casement windows and modern grey doors. I believe these do not suit the development.
2. Lansdown Terrace Lane is a prominent lane on the boundary between the Lansdown and Bayshill Character Areas within the Cheltenham Central Conservation Area. Being one of Cheltenham's best preserved back lanes, with many period mews properties, it was recently selected as a filming location for a BBC drama, evidencing its heritage value. I believe the proposed amendments will have a negative impact on the architectural integrity of this historic lane, are incongruous in the context of neighbouring properties and the materials proposed do not respect the back lane character as required by Cheltenham Local Policy Plan BE6.
3. The introduction of multiple boiler flues, which emerge through the front upstairs walls, have a negative impact and are not shown on the plans.
4. The new smaller window installed on the south elevation appears out of proportion to the original reveal and window sill, which are both larger and remain in-situ. The proposed plan for the south elevation as provided in the application does not reflect these characteristics of the as-built design.
5. The estate agent's brochure for the dwellings includes a to-be illustration of the development with sash windows, traditional doors and no flues; comparing this to the as-built design highlights many negative aspects of the changes.

With regards the request to retrospectively remove condition 6, I agree with the Officer Report in the original application that privacy of adjacent properties should be protected.

For the above reasons I believe the application should be resisted.

Thank you for the opportunity to comment.

Comments: 10th March 2020

[Subsequent to the revised application on 03 March this comment replaces my original comment of 24 Feb]

I overlook the front and side (west and south elevations) of the development and am a regular user of Lansdown Terrace Lane.

With regards the revised application, my opinion is that the amendments proposed (style/colour of windows, doors and rainwater goods) will harm the character and appearance of this development and its surroundings. Specifically:

1. Prior to re-development, this building had 1-over-1 vertically sliding sash windows with a single discrete meeting rail visible in the middle when closed. These matched neighbouring properties and are simple to source/repair/replace like-for-like. The Officer Report on the original planning decision took into consideration that "The new windows match the existing and are of a traditional design." The developers have now deviated from this in installing modern style casement windows. The new windows double the quantity & size of the rails visible in the centre of the window, use internal metal handles visible from outside and use an opening mechanism where the top half of the window swings into the lane. I believe these do not suit the character of the development, do not match the previous windows and do not match neighbouring properties.
2. The development is being sold as 3 independent dwellings. The double-rail design and unique handles of these windows will make it difficult for new owners to source like-for-like

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windows in the future when they need to be replaced or repaired. As a result, there is an increased likelihood that future windows will not match, harming the building's appearance.

3. Lansdown Terrace Lane is a prominent lane on the boundary between the Lansdown and Bayshill Character Areas within the Cheltenham Central Conservation Area. Being one of Cheltenham's best preserved back lanes, with many mews properties, it was recently selected as a filming location for a BBC period drama, evidencing its heritage value. The grey colour of the windows, doors and rainwater goods does not match neighbouring properties. Using doors and windows of a modern design is not in keeping with neighbouring properties. I believe the proposed amendments will therefore have a negative impact on the architectural integrity of this historic lane, are incongruous in the context of neighbouring properties and the materials proposed do not respect the back lane character as required by Cheltenham Local Policy Plan BE6.
4. The window installed on the south elevation appears out of proportion to the original reveal and window sill, which are both larger and remain in-situ. The proposed plan for the south elevation as provided in the application does not reflect these characteristics of the as-built design, instead showing a smaller sill.
5. The introduction of multiple boiler flues, which emerge through the front upstairs walls, have a negative impact and are not shown on the plans. In addition, new waste pipes have also appeared on this most visually prominent elevation and are likewise not shown on the plans. These elements are currently white and it is unclear if these are also to be painted to match the rainwater goods.
6. The estate agent's brochure for the dwellings (www.kingsleyevans.co.uk/page/property/jet_kie-CHL190192/) includes a to-be illustration of the development with sash windows, traditional doors and no flues; comparing this to the as-built design highlights many negative aspects of the application.

For the above reasons I believe the application should be resisted.

Thank you for the opportunity to comment.

18 Lansdown Terrace
Cheltenham
GL50 2jp

Comments: 12th February 2020

We would firstly like to object to the colour / window frame type of this development. You'd expect this to be white sash? This lane has much history and to have grey frames and gutters is totally unfitting for the setting.

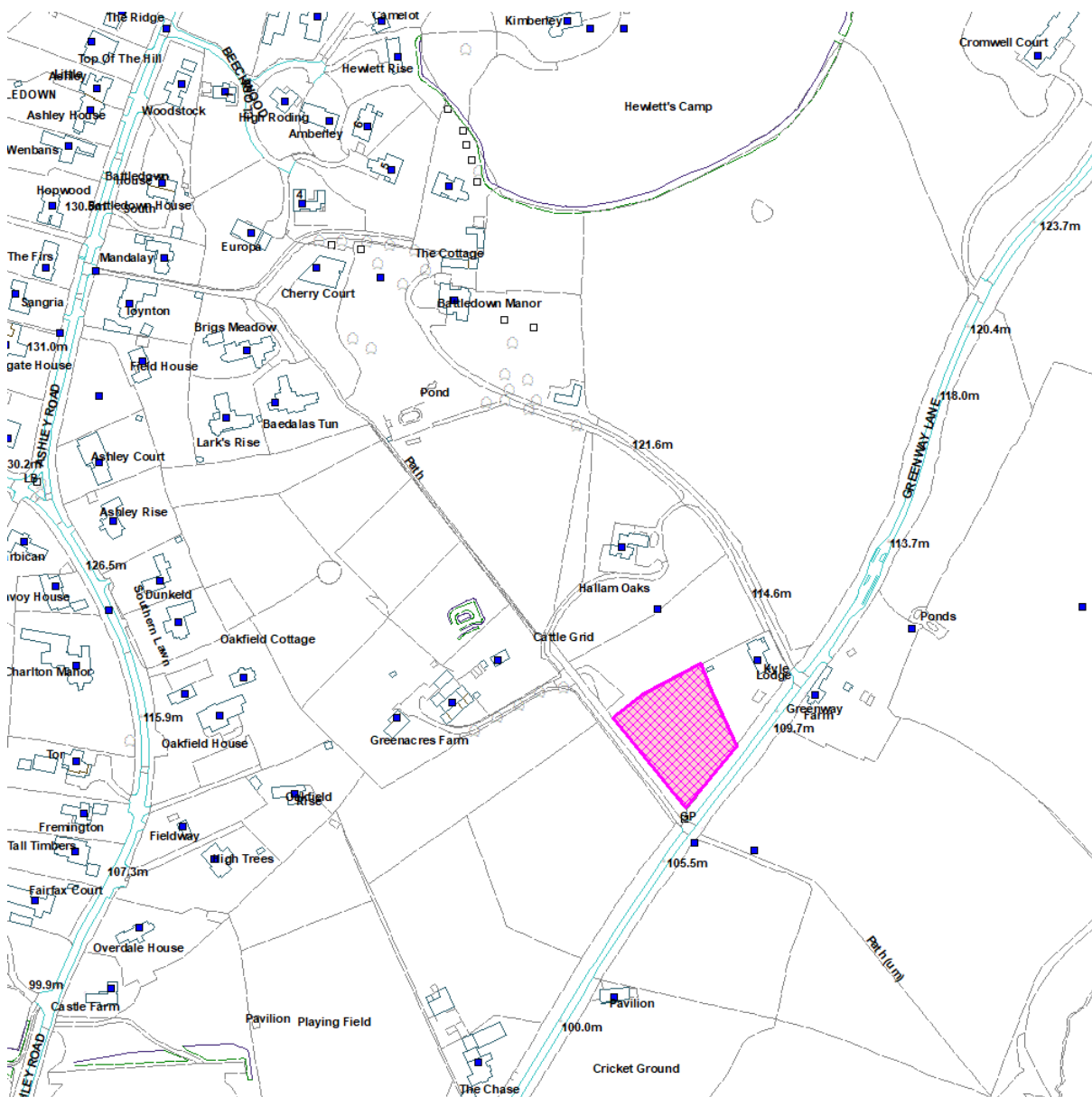
May we also object to the fact that these properties now seem to have had opaque windows exchanged for clear which we are assuming means the room will not be used for the original permission use as a bathroom. This in turn potentially increasing the number of residents requiring services such as parking etc?

We can see these properties from 3 floors of our house and I have to say they are totally unsightly for such a preserved area using these grey tones. If the windows were white sash it may help. I'm sure I previously saw architect drawings showing white sash?

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APPLICATION NO: 19/02449/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 18th December 2019	DATE OF EXPIRY: 12th February 2020
DATE VALIDATED: 18th December 2019	DATE OF SITE VISIT:
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	Mr And Mrs Gleeson
AGENT:	SF Planning Limited
LOCATION:	Kyle Lodge, Greenway Lane, Charlton Kings
PROPOSAL:	Construction of a single 5-bedroom self and custom build dwelling with associated buildings, landscaping, works and infrastructure

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 sites relates to the garden land of an existing detached dwelling known as Kyle Lodge and is accessed from Greenway Lane. The application site is located outside of the Principle Urban Area (PUA) and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 1.2 The applicant is seeking planning permission for the construction of a detached part two storey and part single storey self-build dwelling and associated garage building.
- 1.3 The application is at planning committee at the request of Councillor Fisher and Councillor Baker due to its sensitive location within the AONB.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Area of Outstanding Natural Beauty
Airport safeguarding over 15m
Residents Associations

Relevant Planning History:

09/01407/PREAPP CLO
Extensions

19/01255/PREAPP 2nd August 2019 CLO
Erection of a single dwelling and installation of associated infrastructure

89/00485/PC 25th May 1989 PER
Change Of Use Of Land To Residential Garden (Retrospective Application)

09/00991/FUL 28th August 2009 WDN
Erection of a 2-storey rear extension and single storey side extension

10/00027/FUL 5th March 2010 PER
Erection of a storey and half side extension and two storey rear extension

10/00027/FUL 3_COMP
Erection of a storey and half side extension and two storey rear extension

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 2 Sequential approach to location of development
CP 4 Safe and sustainable living
CP 7 Design

GE 5 Protection and replacement of trees
GE 6 Trees and development

Adopted Joint Core Strategy Policies

SP1 The Need for New Development
SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD6 Landscape
SD7 The Cotswolds Area of Outstanding Natural Beauty
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Cotswold AONB Management Plan

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

14th January 2020

Biodiversity report available to view.

Building Control

3rd January 2020

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

Parish Council

23rd January 2020

The Committee understands and shares concerns over development in the AONB but, given that the proposed development is with the curtilage of an existing dwelling, felt on balance that there were not sufficient grounds to object to the application.

However, the Committee was concerned about the mass of the two-storey garage / family room structure and its proximity to the adjacent public right of way and felt that the design would be improved if this structure was either reduced to a single storey or moved away from the right of way.

Cheltenham Civic Society

21st January 2020

The CBC website advises that this application is to be determined by Delegated Powers. We believe that it should be considered by the full Planning Committee, for the following reasons:-

- The site falls within the AONB
- It has generated much public interest.

This application is on the agenda for the Forum's next meeting on 28 January, one day after CBC's current expiry date but 2 weeks ahead of the statutory expiry date. Our comments will be sent shortly after the 28th.

Landscape Architect

28th January 2020

Report available to view on CBC website.

Cotswold Conservation Board

13th February 2020

The Board does not normally comment on planning applications for single dwellings. However, we are concerned about the ongoing (sub)urbanisation of the Cotswolds AONB around the east side of Battledown Hill, along Greenway Lane and its environs.

The Board does not have capacity to provide a full consultation response. However, we would like to bring to your attention the following points and ask you to give these great weight in your planning decisions:

- Cheltenham Borough Council's landscape assessment of the Cotswolds AONB within Cheltenham Borough, which identifies both these locations as high landscape character sensitivity, high visual sensitivity, high overall landscape sensitivity, high landscape value, major overall landscape constraint and low overall landscape capacity. (Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area).
- The Cotswolds AONB Landscape Strategy & Guidelines, which identifies Landscape Character Type 2 (Escarpment), in which these sites are located, as being very sensitive to change.
- Housing need within the Cotswolds AONB:
 - Policy CE12 of the Cotswolds AONB Management Plan, which states that development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB ... Priority should be given to the provision of affordable housing
 - the Government's Planning Practice Guidance states that AONBs should not normally be considered suitable areas for accommodation unmet needs from adjoining (undesignated) areas (i.e. the part of Cheltenham Borough outside the AONB).
- The aspirations of Cheltenham Borough Council for the Battledown Road area at the time of the AONB boundary review (see attached document).

GCC Highways Planning Liaison Officer

10th January 2020

No objection.

The vehicular accesses hereby permitted shall not be brought into

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use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the accesses measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

Prior to the commencement of the development hereby permitted the southern vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. SK03A but with a minimum entrance width of 6.0m with any gates situated at least 10.0m 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 access road within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: - To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

Upon completion of the construction phase the southern vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. SK01B 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, the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material and the footway/verge in front has been reinstated, 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.

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- Hours of operation;
- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for

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existing occupiers of neighbouring properties during construction);

-Any necessary temporary traffic and parking management measurements;

-Routes for construction traffic;

-Locations for loading/unloading and storage of plant, waste and construction materials;

-Locations for wheel washing facilities;

-Arrangements to receive abnormal loads or unusually large vehicles

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

Prior to commencement of any highway works the subject of any ensuing S38 Adoption Agreements / S278 Highway Works Agreement for the site, the Applicant is required to establish and maintain, and keep maintained for the duration of those highway works, a 'Residents Liaison Group' ("RLG") to comprise of one representative each from:

- The Applicant/Developer
- The Council as LHA
- The Local Council as LPA, and
- Local Residents representative

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

NOTE: The LHA have no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.

NOTE: The upgrade works to the accesses 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.

Tree Officer

10th January 2020

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The CBC Tree Section has concerns regarding the proposed development in its current form.

This primarily relates to 2 matters:

- 1) The proximity of the proposed development (building) in relation to the existing veteran trees and,
- 2) Proposed underground service installation.

Both Trees T3 +T9 are considered to be veteran oak trees whose root spreads are likely to be predominately underground to the west, north and south of the trunks but less to the east where Greenway Lane is likely to have restricted normal root growth.

T3 trunk diameter is shown as 1390mm and as such the Root Protection Radius (RPR) ought to be 20.85M. (1093X 15 as per Natural England Standing Advice on ancient trees)

T9 trunk diameter is shown as 1540mm and as such the Root Protection Radius ought to be 23.1M. (as per standing advice).

In such instances, the proposed garage and dwelling is inside this RPR. If the proposed dwelling and garage were moved (by a matter of metres) in a north-westerly direction, the proposal would be outside the RPR of these trees.

The proposed access is therefore just beyond the edge of the above RPRs. However this is in the order of 1-1.5M (for T3) and less than 1 metre for T9 and as such is broadly acceptable. Underground service installation must follow the route of the proposed access to the new dwelling. The proposed new access for Kyle Lodge appears to be beyond the RPR of T's 3+18.

Whilst this proposed development pre-supposes the removal of the comparatively young Turkey oak (T7), willow leaved pear (T6) as well as several other small trees, the CBC Tree Section considers that given sufficient mitigative landscaping, the loss of their amenity is acceptable. Whilst these are indicative plans for new planting shown (Fig 10 Landscape Strategy Plan by Carly Tinkler), there is insufficient detail and should the above final position of the new build be appropriately adjusted, a detailed landscape plan must be submitted and agreed as a condition of any planning permission. It is considered that the proposed Cotswold stone coloured sealed gravel driveway should be changed to loose gravel giving it a 'softer' appearance as well as being more practical in such a rural setting.

Given the likely heavy clay nature of the site (and current standing surface water) the proposed alder trees are an appropriate species for such a location. However there are several other trees marked which have not been described. Species, planting size, and tree pit details etc must be described in detail. It may also be appropriate to plant at least 1 'specimen' tree in the proposed lawn area to the NE of the proposed dwelling.

Arb supervision should also be employed as a condition of any proposed planning permission and as recommended in para 5.3 of the Arb report so as to ensure negligible 'collateral' damage is incurred during the construction process.

Whilst outside the red line defining the site (but within the curtilage of the current Kyle Lodge demise, T18 oak is being damaged by the existing wall. This should be rectified by partial demolition and rebuild of this wall. This will prevent any further damage to the existing tree and to the wall. This is recommended within the arb report (para 4.10) and point D of the Landscape Strategy. Drawing.

Tree Officer
6th March 2020

Given that the proposed dwelling appears to have been moved in a north westerly direction and will now be outside the RPA of the TPO protected veteran T's 3 + 9 as recommended in previous comment, CBC Tree Section no longer has significant concerns regarding this application.

As per previous comment and as adjusted, the following trees related conditions should also be included:

- 1) underground services to follow the line of the access driveway,
- 2) sufficient foundation depth,
- 3) arb monitoring and other methods of construction, protection etc as identified by the arb report,
- 4) Detailed landscape plan (showing tree pit details, tree sizes and protection from deer, rabbits etc as necessary)
- 5) Given that the proposed dwelling and garage have been moved in a NW direction so as to accommodate the RPA of the veteran trees, the Tree Protection Plan should also be adjusted so as to increase the RPA accordingly. As such a revised Tree protection plan must be submitted and agreed as a condition of any permission.
- 6) A pre-commencement site meeting involving the retained arboriculturist, Trees Officer and site foreman should be undertaken so as to check the position of the tree protective fencing.

Campaign To Protect Rural England

23rd January 2020

CPRE objects to the above application to build a new 5-bedroom dwelling in the Cotswolds AONB adjacent to Kyle Lodge for the following reasons.

- The proposals conflict with the NPPF which, at paragraph 172, says "Great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty". Likewise, Policy SD7 of the Joint Core Strategy states: "All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."
- The site lies outside the Principal Urban Area of Cheltenham in an area which is essentially rural in character. Papers submitted as part of the application give the impression that the site lies within a built-up area but this is not the case. Satellite imagery clearly shows that Kyle Lodge and one or two neighbouring houses, one of considerable antiquity, are separated both from Battledown and from other parts of Charlton Kings by open fields. Although the application site forms part of the gardens of Kyle Lodge, these are not connected to any other developed and so cannot be regarded as urban brownfield land.
- The site lies in an area of highly sensitive and valued landscape. A Landscape Character, Sensitivity and Capacity Assessment of the Cotswolds AONB within the Cheltenham Borough Administrative Area was commissioned by Cheltenham Borough Council and reported in April 2015. This site falls within Landscape Character Area 10.11, 'Greenway Wooded Farmed Slopes'. This area was assessed to have a Medium-High visual sensitivity, High landscape sensitivity and High Landscape Value, indicating that its landscape capacity for development is Low.

- There is a well-used public footpath which crosses Greenway Lane adjacent to the application site. Any development therefore would have a damaging affect on views both from the footpath and from Greenway Lane itself.
- The area where the site lies is part of the rural fringe of Cheltenham which acts as a natural barrier to the town. This is an area which has been robustly defended from development in the past. If approved the proposed development would be a catalyst for further applications to develop the surrounding area which lies within the Cotswolds AONB.
 - CPRE urges the Borough Council to refuse this application. Should the Planning Officers recommend approval, we request that the application be referred to the Council Planning Committee for a decision.

Architects Panel

20th February 2020

Not supported.

Design Concept

The panel had concerns about this scheme because of its sensitive location in the AONB. Whilst the panel had no objection to the principle of building a new dwelling in the grounds of an existing property, and generally liked the contemporary architectural design, it was felt this design would be more appropriate in an urban setting.

Design Detail

The panel had concerns over the size and scale of the development, particularly the Annex building which is a substantial structure right up against and overlooking the public footpath. Concerns were also raised about how the main house sits on the site and the extensive excavation and ground modelling works required.

A more thorough appraisal of the scheme would have been possible if the applicant had submitted a Landscape Visual Impact Assessment (LVIA) with the application. However, the panel felt that had an LVIA been submitted it would have concluded this scheme was over development of a sensitive site.

Cheltenham Civic Society

3rd February 2020

OBJECT

Whilst the Civic Society's Planning Forum is sympathetic to the applicants' family needs, these cannot override the priorities of the AONB or the Council's own policies.

By virtue of the unpleasantly overpowering scale, mass and form of the proposed new dwelling, the development would neither conserve nor enhance the Cotswold AONB and would lead to both adverse landscape and visual change in the local area. The great slab-like elevations lack finesse and have a "commercial", not "domestic", aesthetic. The applicant's argument that as a "rural" garden this is a brownfield site, should not, we believe, apply to development in an AONB.

Permitting this development could open the floodgates to further development and degradation of this exceptional landscape, as other property owners along the lane could seek to follow suit.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	
Total comments received	53
Number of objections	15
Number of supporting	38
General comment	0

- 5.1 7 letters were sent to neighbouring properties, in addition, whilst not a statutory requirement a site notice was also displayed.
- 5.2 A total of 53 letters of representation have been received, 15 in objection to the application and 38 in support, officers do however note that supporting comments received are not all from direct neighbours of the site.
- 5.3 The concerns raised have been summarised but are not limited to the following:
- Principle of a new dwelling in this location not acceptable;
 - Impact on AONB and public footpath;
 - Scale;
 - Impact on highway network;
 - Visual impact;
 - Impact on wildlife;

The letters of support consider the proposal to be acceptable for the following reasons:

- Good design;
- Sensitive and contemporary design approach;
- Appropriate use of brownfield site.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are principle, design, impact on neighbouring amenity, impact on the AONB, impact on existing trees, highway safety and impact on protected wildlife.

6.3 The site and its context

6.4 The application site is the residential curtilage/garden land associated with Kyle Lodge on Greenway Lane, Kyle Lodge is a large detached property located in the north eastern part of the site, with an associated detached garage building. The site is located outside of the PUA and wholly within the AONB.

6.5 The closest and most direct neighbours to this site are Hallam Oaks to the north west and Greenway Farm to the east, but generally the immediate locality is open land with dispersed settlements which are generally large detached buildings sat within generous plot sizes.

6.6 Pre-application advice

6.7 This application follows the submission of a formal pre-application in June 2019 where officers provided a response on the acceptability of a new dwelling on this site. Officer's response acknowledged that the site was outside of the PUA and therefore would not be

compliant with JCS policy SD10, however it also acknowledged that Cheltenham could not demonstrate a 5 year housing supply and therefore in housing terms could be acceptable, subject to consideration of its impact on the AONB and all other material considerations. Officers advised that significant consideration would need to be given to the impact of any proposal on the AONB.

6.8 Principle

6.9 The application is being considered at a time where Cheltenham cannot demonstrate a 5 year housing land supply. The application site is located outside of Cheltenham's PUA, the proposal to erect a new dwelling on this site would therefore be contrary to JCS policy SD10. However, as Cheltenham cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF becomes relevant.

6.10 Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. In this instance, as Cheltenham cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) of the NPPF is applicable, this reads:

'Where there are no relevant development plans, or the policies which are most important for determining the application are out of date, permission should be granted unless:

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

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

In this instance the application site is wholly within the AONB; therefore whilst the councils current position of being unable to demonstrate a 5 year housing land supply is relevant and is a material consideration of the application the tilted balance is not applied and it does not automatically assume a presumption in favour of development, which could be the case if the site was not designated. The main test as to whether the principle of a dwelling on this site is acceptable is whether it would result in any unacceptable harm on the AONB and surrounding landscape character, this is discussed later in the report.

6.11 Impact on the AONB

6.12 The local authority has received a representation from the Cotswolds conservation board, whilst the comment received is not detailed and does not give specific considerations of the application it does highlight concerns and identifies key points that need to be taken into account given the sensitivity of the site

6.13 Policy SD7 of the JCS states:

'All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.'

Paragraph 172 of the NPPF states:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding natural Beauty, which have the highest status of protection in relation to these issues.'

- 6.14 Officers appreciate the level of supporting information that has been included in this application which relates to the AONB and the landscape character, the application is supported with various documents, plans and information including a landscape impact assessment and various maps. It is clear that the information gathered by the applicant's landscape consultant has shaped the design and layout of this proposed development.
- 6.15 As the council does not currently have a landscape architect, a consultant was instructed to review the application and the landscape impact assessment submitted by the applicant in order to consider the impact of the proposed development on the AONB and the surrounding landscape. The review was carried out and a full and detailed report was received, the report concludes that there are three primary effects as a result of this development, which include:
- Effects on landscape character and visual amenity;
 - Effects on the AONB;
 - Visual effects from the public right of way.

The response concluded that in terms of effects on the AONB 'there are not anticipated to be any significant landscape or visual effects on the AONB and none of its points of natural beauty are considered to be unduly affected'. In terms of impact on landscape character and visual amenity the report concluded that 'Overall the adverse effect on the character of the lane is considered to be minor.' And finally the visual effects from the public right of way to be 'minor – moderate adverse', but suggested that suitable planting could reduce this to a 'minor adverse' impact. Officers duly note that the proposed landscaping plan identifies proposed new hedging in the location identified as being weak by the landscape architect and is considered to be of an appropriate species that will address this concern.

In the reports summary, the landscape architects states 'there is no substantive landscape or visual reason against the granting of consent for these proposals' and suggests a number of conditions.

Having considered the landscape architects comments, officers do not consider that the proposal will result in any unacceptable harm to the AONB or surrounding landscape character.

- 6.16 The proposal accords with the Cotswolds Conservation Board recently adopted position statements relating to 'Tranquillity', specifically relating to policy CE4. The addition of one new dwelling on this site is not considered to result in unacceptable noise pollution or other visual disturbances.
- 6.17 Design and layout**
- 6.18 The proposed development seeks to subdivide the existing plot to accommodate the new dwelling, the existing property will occupy the north western part of the site and will be served by a replacement access point on to Greenway Lane. The proposed new dwelling will occupy the south western part of the site, served by a new access from Greenway Lane.
- 6.19 The proposed new dwelling is a part single storey and part two storey flat roof building, the dwelling sits centrally within the plot and is considered to be of an appropriate footprint and scale for the size of the site. This layout would reflect the general character and pattern of development in the locality.
- 6.20 Whilst the landscape architect considered the proposal to be acceptable in landscape terms, officers considered that the overall scale and height of the proposed

garage/annexe building which is arguably located in the most prominent part of the site would result in harm to the design/character of the area, would not appear subservient to the proposed new dwelling and would also be visually intrusive when viewed from the public right of way to the south and the highway to the east. Officers therefore sought revisions to the scheme, which were later received.

The revised plans now show the entire first floor of the garage/annexe building removed, this has significantly reduced the overall scale of this building and is now considered by officers to read clearly as a subservient 'outbuilding' to the main dwelling, will sit more discreetly behind the existing hedgerow and will have less visual impact on the surroundings. Officers consider the revised plans to fully address officer's initial concerns and the proposal now represents an acceptable scale and form.

6.21 The overall design of the proposed new dwelling and outbuilding is clearly contemporary; officers feel that careful consideration has been given to the form, design and use of materials and the proposal results in a building that is of an acceptable design for this location. A condition requiring material samples/details to be submitted has been suggested.

6.22 The proposal includes the introduction of a 'green roof' to the proposed dwelling and separate garage building, this is considered to be acceptable however a condition has been attached to ensure this is a meadow grass roof and shall not be sedum or any other plant finish.

6.23 **Impact on neighbouring amenity**

6.24 Whilst concerns have been raised to development on this site, these concerns do not specifically relate to impact on neighbouring amenity. Concerns have been raised regarding visual impact and this has been discussed in the sections above.

6.25 The only adjacent land user that shares a boundary with the proposed development site is to the North West and is occupied by Hallam Oaks. The residential dwelling on this site is not directly adjacent to the shared boundary and is approximately 80 metres away from the boundary of the site. In terms of privacy, the proposed new dwelling sits centrally within the plot, upper floor windows on the western elevation of the new dwelling achieve approximately 12 – 14 metres to the shared boundary and therefore exceed the minimum distance of 10.5 metres that is considered to be acceptable.

6.26 Due to the scale of the proposed development, its position within the plot and its relationship with neighbouring land users the proposal is not considered to result in any unacceptable loss of light to any neighbouring land user or any overbearing impact, however a condition has been suggested that prohibits the installation of external lighting as this could be considered to have a greater impact on the area during evening hours.

6.27 It is not considered in this instance that the proposal will result in any unacceptable loss of light, loss of privacy or overbearing impact on any neighbouring residential land user and is therefore considered to be compliant with local plan policy CP4 and JCS policy SD14.

6.28 **Access and highway issues**

6.29 Gloucestershire Highways have reviewed the submission; no objection has been raised however a number of conditions have been suggested, these are considered necessary and have therefore been attached.

6.30 The proposed dwelling is not considered to result in any highway safety implications and is considered to be acceptable on access, parking and highway safety grounds.

6.31 **Trees/landscaping**

- 6.32 The tree officer has reviewed the application and initial concerns were raised regarding the impact of the proposed development on protected trees within the site. These concerns have since been addressed in the submission of revised plans whereby the position of the new dwelling and garage building have been altered as suggested. The tree officer raises no objection to the revised submission, subject to conditions which are considered necessary and have been attached.
- 6.33 A detailed landscaping plan has been submitted and is considered to be acceptable.
- 6.34 **Impact on protected species**
- 6.35 Records show that important species have been sighted near the application site in the past and in particular bats recorded in 2017, the sighting was recorded as 175 metres from the site. An ecological impact assessment has been submitted as part of this application and concludes that there is no evidence of protected species on the site.
- 6.36 It is not considered that development on this site would result in any unacceptable impact on protected species. It is important to note that all bat species, their breeding sites and resting places are protected by law as they are European Protected Species.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Officers fully acknowledge that this site has a particularly sensitive location within the AONB and due consideration has been given to the letters of objection and the letters of support that have been received.
- 7.2 On balance, given that officers consider there to be no unacceptable harm to the AONB and the design, scale and form of the new dwelling to be appropriate, as well as being acceptable in terms of impact on neighbouring amenity, impact on trees and appropriate landscaping, any identified harm is not considered to significantly or demonstrably outweigh the benefits, when assessed against the relevant policies/framework, therefore officer recommendation is to permit the application, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

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

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 All service runs shall fall outside the tree Root Protection Area(s) shown on the approved drawings, unless otherwise first agreed in writing by the Local Planning Authority. Any such works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

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Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).

- 4 Prior to the commencement of development (including demolition and site clearance), a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and /or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

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

- 5 Notwithstanding the submitted landscaping plan, details of the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) tree pit details
 - b) tree sizes
 - c) tree protection measures from wildlife

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 6 Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall be a self-build dwelling as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall not be used for any other purpose without express planning permission.

Reason: To ensure there are enough serviced plots of land to meet the demand for self-build and custom housebuilding in the borough, having regard to the self-build register and the provisions of the Joint Core Strategy (2017).

- 7 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 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 extension or alteration requires further consideration to safeguard the amenities of the area, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4, SD7 and SD14 of the Joint Core Strategy (2017).

8 No external facing or roofing materials shall be applied unless in accordance with:

- a) a written specification of the materials; and/or
- b) physical sample(s) of the materials.

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

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

9 The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the accesses measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points).

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

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

10 Prior to the commencement of the development hereby permitted the southern vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. SK03A but with a minimum entrance width of 6.0m with any gates situated at least 10.0m 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 access road within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: - To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

11 Upon completion of the construction phase the southern vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. SK01B 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, the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material and the footway/verge in front has been reinstated, 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.

- 12 No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- Hours of operation;
- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Any necessary temporary traffic and parking management measurements;
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Locations for wheel washing facilities;
- Arrangements to receive abnormal loads or unusually large vehicles

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

- 13 Prior to the commencement of development, 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.

- 14 No external lighting shall be installed without prior written consent from 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).

- 15 The green roof shall be a meadow grass roof and shall not be sedum or any other plant finish.

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).

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

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when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, the authority revisions to reduce the scale of the garage/annexe building and re-positioning of the buildings to address tree related issues;

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

- 2 The applicant is encouraged to engage with the councils tree officer at the time of tree protection works being installed and would encourage the applicant to arrange a pre-commencement site meeting involving the retained arboriculturist, Trees Officer and site foreman to review acceptability of tree protection measures installed.
- 3 The LHA have no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.
- 4 The upgrade works to the accesses 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.

APPLICATION NO: 19/02449/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 18th December 2019		DATE OF EXPIRY : 12th February 2020	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Mr And Mrs Gleeson		
LOCATION:	Kyle Lodge, Greenway Lane, Charlton Kings		
PROPOSAL:	Construction of a single 5-bedroom self and custom build dwelling with associated buildings, landscaping, works and infrastructure		

REPRESENTATIONS

Number of contributors	53
Number of objections	15
Number of representations	0
Number of supporting	38

7 Polefield Gardens
Cheltenham
Gloucestershire
GL51 6DY

Comments: 16th January 2020

It seems that AONB is now being totally ignored or disregarded. If the council follow the rules and law then then application should be refused without hesitation.

Furthermore it is crystal clear that there are no other properties similar to this along Greenway Lane and as such this house would stick out like a sore thumb!!! Seems that all the applicants friends and family who are not closeby have supported this application!!

House looks very impressive but should not be built on a AONB piece of land but should be built in a more appropriate area.

Surely this is an April Fools Joke??!!

Greenway Farm
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PL

Comments: 12th February 2020

Letter attached.

14 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

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Comments: 21st January 2020

I strongly object to this application.

I am very disappointed to read yet another application for garden infill on Greenway Lane.

Garden infill on Greenway Lane is becoming all too frequent and changing the fabric of the road. With Sixways having a high polluting level the green spaces of Greenway Lane are very important to counteract this and help neutralise its effect. Another property on the road will not only take away green space, which is in fact AONB, but also add additional traffic to the road. At peak times of the day Greenway Lane comes to a standstill due to the local and school traffic, further congestion from yet another property will only add to the increasing levels of pollution.

We are very lucky on Greenway Lane to currently have a variety of bird species from Owls to Jays and also deer, foxes etc with further development we will only see a decline in their numbers. The health benefits of outside space i.e. gardens have been well documented and therefore should have a higher importance placed on them.

Whilst we are living with a climate crisis yet another development which removes green space is not going to help.

The Gray House
Harp Hill
Cheltenham
GL52 6PR

Comments: 3rd February 2020

Letter attached.

High Grove
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LA

Comments: 20th February 2020

I wish to object to the proposal for construction of a large 5-bedroomed house in the plot associated with Kyle Lodge on Greenway Lane. I object on grounds of visual intrusion into an existing attractive rural setting, and because I believe that the project would represent a very damaging step in the further suburbanisation of the AONB in an especially sensitive location.

I believe that the upper stretches of Greenway Lane, beyond the suburban fringe, currently possess a rural character entirely in harmony with the rest of the thinly developed Hambrook valley. The traditional buildings of Greenway Farm and Kyle Lodge alongside the Lane in no way detract from that character, not least because they are the only buildings that can create a significant visual impact along the route. I would object to any further residential development along the part of the Lane above The Chase, but in this specific case of the Kyle Lodge proposal I have a particular view that the 21st Century architecture and bulk of the proposed building would fail totally to harmonise with the Lodge and the Greenway Farm house.

It seems to me that this small but extremely beautiful part of the Cotswolds AONB is currently under attack from various developers of very large homes. Supporters of these developments can readily be found from all around Cheltenham and beyond, but if the Planning Committee determines this proposal acceptable - on its own merits - as was the case with Cromwell Court, then there will soon be another proposal to deal with and then another, and another. Unless a line

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is drawn, agricultural land will eventually become suburban sprawl, and we will have destroyed something of enormous value to future generations. Even the residents of the new multi-million-pound homes may be disillusioned.

5 The Corse
Walnut Bank Drive
Teddington
GL20 8WB

Comments: 15th January 2020

I write in order to support the above application. I have lived in Cheltenham for many years and frequently spend time at the Charlton Kings Cricket club. The surrounding area is beautiful and I believe that this contemporary, modern, and beautifully designed house will enhance the area further. The proposed plans seem to have been sensitively designed to minimize the visual impact on the surrounding landscape.

85 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BS

Comments: 15th January 2020

I write in order to support the above application. I have lived in Cheltenham for many years and frequently spend time at the Charlton Kings Cricket club. The surrounding area is beautiful and I believe that this contemporary, modern, and beautifully designed house will enhance the area further. The proposed plans seem to have been sensitively designed to minimize the visual impact on the surrounding landscape.

Clarence Villa
Clarence Square
Cheltenham
Gloucestershire
GL50 4JP

Comments: 15th January 2020

I write in order to support the above application. I have lived in Cheltenham for many years and frequently walk in the fields off Greenway lane with my dog. The proposed plans seem to have been sensitively designed to minimize the visual impact on the surrounding landscape. I particularly like the architectural design of the new dwelling and believe it's contemporary design is of the highest quality.

Greenside
Oakley Road
Cheltenham
Gloucestershire
GL52 6NZ

Comments: 15th January 2020

I wish to offer my full support for this application. I am a resident in Battledown and therefore a reasonably close neighbour of the residents of Kyle Lodge. The design of this house is a very appealing and I am sure it will add to the architectural pedigree of the surrounding area.

North Farm House
Shipton Oliffe
GL54 4JQ

Comments: 15th January 2020

As a resident in Cheltenham area for many years I know the Battledown area and Greenway lane well. There seems to be lots of new houses being built iin the vicinity and the GREENOAKS development looks to me a fabulous addition! It is an exciting, modern house which seems to be in keeping with other houses currently under construction.

42 Gratton Road
Cheltenham
Gloucestershire
GL50 2BY

Comments: 15th January 2020

I've been living in Cheltenham for a good many years now. I feel I know the Battledown area and Greenway Lane very well. I've always been impressed by the number of exciting new houses being built iin the area. I strongly feel the Greenoaks development would be an exciting addition. It's an interesting, modern house certainly in keeping with other houses currently under construction.

75 Read Way
Bishops Cleeve
GL52 8EL

Comments: 15th January 2020

I write in order to support the above application. I have lived in Cheltenham all my life. Love seeing new modern properties being built in the town. I have the design which I feel that it is beautifully designed and will enhance the area.

73 Painswick Road
Cheltenham
Gloucestershire
GL50 2EX

Comments: 15th January 2020

I write in order to support the above application. Building a new house iin such a large garden seems a sensible idea and good use of the space. The design is sympathetic to the surrounding area and I really like the modern look of the house.

5 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 15th January 2020

I know the oners of 'Kyle Lodge' and have reviewed their proposed plans of designing and building a new development within their grounds.

This is an exciting and economically friendly project, and I'm in full support of this proposal.

Turnpike House
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PW

Comments: 28th February 2020

As a resident of Greenway Lane I write to support the above proposal. I have discussed the plans with the owners of Kyle Lodge and it is clear that extensive thought has gone into designing a property that is sensitive to the area.

I fully support the application.

3 Water Lane
Cheltenham
Gloucestershire
GL52 6YD

Comments: 14th January 2020

I am in support of this application. I reside in Charlton Kings, within a mile of the proposed building, and frequently visit that area to use the cricket club and for walking or leisure. I am therefore familiar with the site and believe that the proposed building is excellent use of land and that the design will compliment the area. The plot is a large piece of land and can easily sustain two significant properties.

Haytor
65 Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PR

Comments: 19th January 2020

We would like to object to the application 19/02449/FUL for Kyle Lodge, Greenway Lane, Charlton Kings, Cheltenham GL52 6PN.

Kyle Lodge sits in the Cotswolds AONB, which is protected land around Cheltenham. It is part of the appeal of Cheltenham and this area and has been designated as AONB for this reason.

We feel very strongly about building on AONB land. Cheltenham has a plan for new housing and this does not form part of it. Kyle Lodge is typical of the large properties around this area that sit in a substantial plot. We feel strongly that the properties in this area should not be given permission to reduce their gardens in order to build more houses (sadly this has already happened at Cromwell Court, also on Greenway Lane and also part of the AONB).

Greenway Lane is a country lane with no transport links, no footpaths and no cycle lanes, meaning travel by car will be essential, thus increasing traffic and impacting the environment.

This area is used by walkers, runners, cyclists and horse riders because of its beauty and if houses are allowed to be built on this land, increased traffic, pollution and the destruction of wildlife will spoil it.

97 Montpellier Terrace
Cheltenham
Gloucestershire
GL50 1XA

Comments: 22nd January 2020

I have looked through these plans and can see no issues - the building design is entirely in keeping with the successful planning application for Cromwell Court.

Also - to those comments on the AONB - while the area might be an area of natural beauty, the garden where the proposed dwelling would be is a brownfield site.

43 Birdlip Road
Cheltenham
Gloucestershire
GL52 5AJ

Comments: 5th February 2020

I object to this application 19/02449/FUL for the following reasons:

This proposal is for a very large contemporary designed building in the Cotswolds Area of Outstanding Natural Beauty, AONB. The building would impose on its immediate neighbourhood and particularly on the adjacent public footpath where it would take away the PROW's openness. This style of house is not in keeping with other properties in the AONB along Greenway Lane and would be better suited to a more urban environment. Development proposals in the AONB must, by policy, enhance and conserve the landscape and scenic beauty, this proposal fails in this regard. This is a speculative proposal.

The result of the proposal on the various landscape characters and visual effects will have no enhancing attributes contrary to NPPF para 172 which states: "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues", and to JCS SD7 where "All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."

I agree that in isolation the structure could be considered good design. However, it is not a design sensitive to its proposed location and will not enhance its locale or its near or far environment. It is bold, visually loud and out of context. It fails saved Policy CP7(c): "Development will only be permitted where it complements and respects neighbouring development and the character of the locality and/or landscape." and NPPF 127(c): "Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);"

Some reliance is placed on this site being classed as "Brownfield" and effective use of land should be considered as outlined in NPPF 117. However, the caveat in footnote 44 applies as there is conflict in this application with other policies in the framework, NPPF 172 is one example, therefore NPPF 117 cannot be relied upon in this case.

Para 5.27 of the applicant's supporting planning statement confirms that there will be no positive effect on landscape character even after mitigation measures have become effective and also, at para 5.28, only non-positive visual effects will be present, ranging from neutral to major negative.

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This proposal is for inappropriate development in the AONB which will have severe adverse effects on the natural and local environment even with mitigation measures in place. Overall the proposal will have no positive conserving or enhancing effect on landscape character, visual amenity or scenic beauty and will amount to a loss of openness and local distinctiveness in this area of the Cotswolds AONB. Policy dictates that in these areas great weight in regard to conserving and enhancing landscape and scenic beauty must be given. Because of these adverse effects on the character and appearance of the area, JCS SD7 and NPPF 172 provides clear reason for refusing the proposed development.

3 Eldorado Crescent
Cheltenham
Gloucestershire
GL50 2PY

Comments: 11th February 2020
Letter attached.

33 Hillary Road
Cheltenham
Gloucestershire
GL53 9LB

Comments: 11th February 2020
Letter attached.

12 Charlton Park Gate
Cheltenham
Gloucestershire
GL53 0HL

Comments: 13th February 2020
I write to offer my full SUPPORT for the following property:

Planning application: 19/02449/FUL, Kyle Lodge, Greenway Lane, Charlton Kings.

I totally support the above planning application. As a home owner in Charlton Kings and frequent user of Greenway Lane I feel the the above proposition would be an exciting addition to the Lane and would enhance the area.

Documented evidence on the CBC website from professionals that have clearly spent hours examining the site, concludes that the application complies with CBC planning regulations. The Council have welcomed and permitted the development of the brownfield site at Cromwell Court on Greenway Lane, and I hope that they will also back the development of the brownfield site at Kyle Lodge -this design is of high architectural quality and will set an example of what suits Cheltenham, to be taken into the next decade.

1 Tommy Taylors Lane
Cheltenham
Gloucestershire
GL50 4NR

Comments: 13th February 2020

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I am a long term resident of Cheltenham and have agri-environment responsibilities within the Cotswold AONB.

I know this plot of land. There are plenty of local examples where more than one house has been squeezed onto considerably smaller garden plots. In this case, the request is for a single dwelling on a large plot, which seems eminently appropriate.

The design is not dissimilar to a number of dwellings that have been built in and around Cheltenham such as Prestbury and Cleeve Hill including within the AONB. The design appears to be eco-friendly and every effort has been made to keep it private. Its shielded location means that it has very little impact on the surrounding area; if built, I doubt that the general public would be particularly aware of its existence after a few months.

The properties in this area have no consistent architectural design; it is therefore perfectly reasonable to build something that is different, after all the current dwellings are probably different to their predecessors.

I have not read anything that suggests that the new dwelling would have an adverse impact on the environment.

In summary, I support this application.

The Coach House
10 Oxford Passage
Cheltenham
Gloucestershire
GL50 4DL

Comments: 14th February 2020

We are amused by the level of support for this application from people who are not in the vicinity!

I do hope the planners take note of this, it seems every supporting comment is from another part of Cheltenham, the comments of which are in some cases merely copy and paste of other messages.

One can only assume they are all friends and family of the applicants as why else would so many pro supporters be so vocal about this one particular application when they don't live on Greenway Lane.

The comments that count, ie the neighbours are all objecting, planners take note!!!

Reservoir Lodge
Harp Hill
Charlton Kings
Cheltenham
GL52 6PP

Comments: 6th March 2020

Letter attached.

Dewerstone Cottage
Christowe Lane
Cheltenham
Gloucestershire
GL53 7AQ

Comments: 10th January 2020

I write in order to support the above application. I believe that the proposed development is an impressive architectural design.

131 Hales Road
Cheltenham
Gloucestershire
GL52 6ST

Comments: 10th January 2020

I write in order to support the above application. I believe that the proposed development is an impressive architectural design.

298 Stroud Road
Gloucester
GL4 0DG

Comments: 10th January 2020

I write in order to support the above application. I believe that the proposed development is an impressive architectural design.

Clive Lodge
Wellington Square
Cheltenham
Gloucestershire
GL50 4JS

Comments: 10th January 2020

I write in order to support the above application. I have lived in Cheltenham for many years and frequently walk in the fields off Greenway lane with my dog. The proposed plans seem to have been sensitively designed to minimize the visual impact on the surrounding landscape. I particularly like the architectural design of the new dwelling and believe it's contemporary design is of the highest quality.

325 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AJ

Comments: 10th January 2020

I write in order to support the above application. I have lived in Cheltenham for many years and frequently walk in the fields off Greenway lane with my dog. The proposed plans seem to have been sensitively designed to minimize the visual impact on the surrounding landscape. I particularly like the architectural design of the new dwelling and believe it's contemporary design is of the highest quality.

3 Glynrosa Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8QR

Comments: 10th January 2020

As a resident of Charlton Kings, I have been made aware of this proposal and have looked at the computer generated images of the new house. Kyle Lodge has a very large garden and this single dwelling in the garden of Kyle Lodge will be a positive development for Greenway Lane. I really like the contemporary design of the house which seems to be in keeping with other houses currently being built in the area.

257 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 10th January 2020

As a resident of Charlton Kings, I have been made aware of this proposal and have looked at the computer generated images of the new house. Kyle Lodge has a very large garden and this single dwelling in the garden of Kyle Lodge will be a positive development for Greenway Lane. I really like the contemporary design of the house which seems to be in keeping with other houses currently being built in the area.

32 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 10th January 2020

I write in order to support the above application. I am a resident on Greenway lane and a close neighbour of the residents of Kyle Lodge. I have reviewed the planning application and supporting information online. I like the architectural design of the new dwelling and believe it's contemporary design and high quality are in keeping with the Battledown 'ethos'.

12 St Michaels Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DW

Comments: 10th January 2020

I write in order to support the above application. Building a new house in such a large garden seems a sensible idea and a good use of the space. The design is sympathetic to the surrounding area and I really like the modern look of the house.

Baedalas Tun
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 10th February 2020

I have grown up and lived in this part of Charlton Kings for more than fifty years. I strongly object to this application and concur with all of the well-documented objections already raised.

The proposal is for a large brand new three-storey contemporary house and a double-storey garage with further living accommodation above in the middle of an area of AONB which has remained unspoilt for many years. The site lies within the rural fringe of Cheltenham which acts as a natural barrier to the town; it serves as a pleasing contrast to the busy Sixways end of Greenway Lane which is very different in character.

- It is outside of the PUA and entirely within the AONB and therefore not part of the Town Plan.
- Cheltenham has precious little AONB on its fringes - that which we do have we should value and protect.
- The proposed building is not appropriate in this semi-rural location - such a contemporary build would alter the character of the lane as the few buildings in the vicinity are of a traditional type and are very scattered.
- It is too large, too modern, not in keeping.
- It would not 'enhance' - rather it would have an 'adverse' effect on the surrounding landscape character.
- Adverse effects come about not only from a loss of openness but also from a change in landscape 'character'.
- Users of the footpath would be VERY affected - note Charlton Kings' Parish Council's concerns regarding the large double-storey building which would be adjacent to the footpath.
- The proposals would lead to both adverse landscape and visual change in the local area. This is in conflict with JCS Policy SD7 as it neither 'conserves' nor 'enhances' the natural beauty of this nationally designated area and it is also at odds with the objectives of the Cotswold AONB Management Plan.
- It would create a precedent for further attempts to develop in this lovely location.
- I do not believe that any new build - unless perhaps it is a better replacement for one being demolished - can be considered to be 'conserving' or 'enhancing' the AONB, no matter how many pages of arguments are put forward.

It seems incredible to me that such a completely modern house which is much more suited to an urban environment could be considered to be viable here. Because a house is built in Cotswold stone and has a grass roof does not in my mind conjure up compatibility with the scattered nearby dwellings. Grass roofs seem to be the current trend in these situations and while on a plan they may sound like a good idea, in reality they are very hard to maintain - they are not always indigenous and often look a total mess, thereby having the opposite effect to that which is intended.

The application implies that the area is quite built up with references to the Battledown Estate suggesting there is a connection between this contemporary design and some of the houses there. But the Estate is a historically unique private estate which is not in the AONB and therefore is not bound by its rules. Instead, residents abide by its own regulations overseen by the

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Trustees. For non residents the core of the estate is only accessed via Battledown Approach which is off Hales Road and there are three other gated access roads for residents only. For those who do not live on the estate therefore there is a definite disconnect between these two areas and therefore no comparison to contemporary housing there stands up. Battledown Manor which is a large very traditional house (formerly The Knowle) is also mentioned and Kyle Lodge is at the bottom of its drive. Neither of these two houses are now nor ever were part of the Battledown Estate.

I am led to understand that most, if not all, of the local residents who would be most affected by this proposed development are quite strongly opposed to it. It seems to me that most, if not all, of those supporting the application are friends and colleagues of the applicants many of whom do not live in the immediate area and who may well have been unaware that the proposed site is in the middle of land which has been protected by its AONB status for many years. This is a particularly relevant point as the majority of the comments supporting the application were submitted before it was noticed that the AONB status had been omitted from the online Constraints section. This important error has since been duly amended.

It would be a sad day for local residents if this application is granted. We are blessed to live so close to the massively popular Cleeve Hill -Greenway Lane actually leads to it - and our country lanes are loved by walkers, runners, cyclists, horse riders, dog walkers alike, all seeking the peace and harmony of the countryside. I fervently believe we have a huge responsibility to preserve this valuable legacy for future generations to enjoy and that although there is a pressing need for new 'affordable' housing, it should not take priority over protecting our environment.

Ryeworth Fields
Greenway Lane, Charlton Kings
Cheltenham
GL50 9TA

Comments: 27th January 2020

Our cricket club is one of the nearest sites to the proposed development and I am supportive of the plans.

The proposed changes to access will provide further parking space on Greenway Lane which can become congested at peak times and when the cricket club is in use. The plans to include pavement upgrades and resurfacing is also much needed and will contribute to improving safety on the road, particularly for children accessing the ground.

The agreed plans for the development are an example of exciting modern architecture that will add to the already diverse collection of buildings on Greenway Lane. Additionally, the plan to split a two acre plot into separate properties seems a perfectly reasonable use of the land.

I can see no reason for this development to be denied permission considering the consent given to other developments in the area in recent years.

CKCC committee member.

12 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 24th January 2020

The site is in an existing garden and the design looks great.

Comments: 10th January 2020

This seems a sensible use of the large garden and would not impact other dwellings. Also the contemporary design is much better than other recent developments in Greenway Lane

10 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 15th January 2020

I fully support this application. As a resident of Greenway Lane I am very familiar with Kyle Lodge. I have reviewed the planning application and like the architectural design of the new dwelling. I believe the contemporary design is very in keeping with Battledown and Greenway Lane

16 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 26th February 2020

I write in support of Planning Application 19/02449/FUL.

As long residing residents of Greenway lane, my wife and I have seen many changes to the road over the years. We have ourselves, had a house built in our once large garden and have seen plenty of newly built modern houses in our immediate vicinity.

The owners of Kyle Lodge have visited us and taken the time to explain their development to us. We discussed the name of their planning proposal 'Green Oaks'. This obviously clashes with the name of our house (they had no idea our house was called that) and Mr Gleeson has assured us that he will rename his new house proposal. We are entirely satisfied with this.

We have looked at the computer-generated images of the modern development within the garden of Kyle lodge on what I believe is a brownfield site. It is obvious that great care and attention has gone into the design of this house in order to maintain and indeed enhance the natural beauty of the area. One additional house on Greenway Lane will have, in our opinion, no detrimental effects on local traffic or wildlife.

We totally support this application and believe that it will not be detrimental to the area as it will be partially hidden by the hedge around the garden of Kyle Lodge and will not be greatly noticed by people passing by.

312 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AP

Comments: 15th January 2020

From conversations with the current owners, I am aware of the planning application to build a new home on the site of their current property - Kyle Lodge.

Page 54

I have visited the property many times and I think that plot can easily accommodate another property.

I have reviewed the computer generated images of the proposed developemnt - The Greenoaks. I think that it makes great use of the area, is in keeping with other houses being built in the area and will, I understand, make use of the latest ecological building techniques and materials.

Therefore, I am providing this letter as a record of my support for this proposal.

The Chase
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 21st January 2020

I am very concerned about the possibility that that council will allow this house to be built in a clearly defined AONB area.

If this house is given planning permission then this AONB area is doomed as all the other fields and gardens along this road will be making applications.

The level of people supporting this building really has little or no credibility as the majority if not all of them are not residents of the local area, one has to wonder why so many non neighbours are so vocal in their support, I wonder if they would feel the same if they were actually nearby. For anyone to suggest this house is in keeping with the area is being ridiculous.

As one of the closest homeowners to this proposed development, we are strongly against this application.

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 3rd January 2020

I am in receipt of your planning notification, 19/02449/FUL, received on 23rd December 2019. You were unavailable when I rang your department on 27th Decemer, to ask a couple of questions concerning this matter, therefore I list them below:

1) 10th January 2020 being the deadline date for comments to be submitted leaves very little time (including the Christmas and New Year holidays) to research this matter. Is this the legal requirement? However, I was informed that this date was being extended to 27th January 2020, as you had directed 'site' notices to be erected. To date, I have seen no sign of same. Therefore, would you please confirm, by return, what the correct deadline date is as time is rapidly passing by for the public to assess fairly.

2) Under "related items" on your schedule, would you please clarify why, "Green Oaks, Greenway Lane, Charlton Kings, Cheltenham GL52 6LB" is listed as one of the two properties involved? I have never heard of this particular address in Greenway Lane and I would appreciate you informing me where it is to be located.

Comments: 12th February 2020
Letter attached.

Greenacres Farm
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 12th February 2020
Letter attached.

Comments: 13th February 2020

We object to this application in its applied form. The buildings are far too box like and rigid in design, they closely resemble the modern style of commercial buildings.

This application is not innovative in design. Merely a close copy of the many "Of our time" structures appearing on the landscape. It offers no architectural merits, other than being a mass of glass and stone clad box shapes, positioned to form a structure. It would appear alien to Kyle lodge and opposite neighbour Greenway farm.

The designated position on this site is very one sided, against the west boundary, especially the garage/flat let block.

Greenacres farm driveway and the public footpath follow a line alongside this boundary; the driveway also gives access to Hallam Oaks, and 2 others. The boundary is formed by post and rail fence and deciduous hedging with gaps. Due to the leaf loss in the autumn and winter months, any development on the Kyle Lodge site would result in a high visual impact to walkers on the public footpath, and the wheeled users of the driveway.

Landscape Visual Appraisal report. The superimposed views:-

- Shows Viewpoint.15. looking north east from the highway with the veteran ancient oak T9 (54) in the foreground, this view of the garage/flatlet block would be very overbearing, closely resembling 2 stacked porta cabins.

At this point in Greenway Lane/Greenacres driveway, the receptor level for pedestrians, cyclists, and passing motorists would be more high than medium.

- Shows Viewpoint 17.looking south down Greenacres Farm driveway, and the public footpath, with the superimposed view of the two proposed buildings .This view would be extremely overbearing against the skyline, and completely alien to the landscape.
- Lva report page 19 states, The aim is to avoid or minimize the amount of material going of site. The creation of a curved bank at the northern end.

The subsoil of this site is heavy clay, considering the application shows a lower ground floor construction, a considerable amount of spoil would be excavated. If this is used to create a curved bank this would form a non-porous barrier and prevent the natural run off from the higher ground, because of the lie of the land. This would divert the natural run off on to our property, and exacerbate the problem we already have with the run off during the not so uncommon periods of heavy rainfall

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- The C.B.C. tree report shows the concern over the siting of the garage/flatlet block with regards to the root protection radius of our veteran oak T9 (54) .This is the largest of the oaks on or near the site, and is of great age.

This application is outside the Principal urban area and well within the AONB.

We share the comments made by the owners of The Chase, who also understand the "Green way" of Greenway lane.

Only a few weeks ago an application 19/01252/Ful also in the AONB and outside PUA and adjoining the public footpath and only 50 meters from the North West Kyle lodge boundary. This application was refused.

Inches
Birchley Road
Cheltenham
Gloucestershire
GL52 6NX

Comments: 20th January 2020

I wish to offer my full support for this application. I am a resident in Battledown and therefore a reasonably close neighbour of the residents of Kyle Lodge. The design of this house is a very appealing and I am sure it will add to the architectural pedigree of the surrounding area.

106 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LX

Comments: 20th January 2020

I write in order to support the above application. I have lived in Cheltenham for many years and frequently walk in the fields off Greenway lane with my dog. The proposed plans seem to have been sensitively designed to minimize the visual impact on the surrounding landscape. I particularly like the architectural design of the new dwelling and believe it's contemporary design is of the highest quality.

18 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 20th January 2020

I write in order to support the above application. Building a new house in such a large garden seems a sensible idea and a good use of the space. The design is sympathetic to the surrounding area and I really like the modern look of the house.

70 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DH

Comments: 11th February 2020

I would like to support this application. As a resident of Charlton Kings with children who play cricket at the local club on Greenway Lane, I think this proposal is well designed and forward thinking while remaining sympathetic to the surrounding area.

The Greenoaks proposal is a good use of the large existing (brownfield) garden to create a sensitively designed family home that will have minimal visual impact on the road. The design is in keeping with many houses in the immediate area and will not diminish the beauty of Greenway Lane in any way.

Cromwell Court
Greenway Lane
Charlton Kings Cheltenham
Gloucestershire
GL52 6PW

Comments: 13th January 2020

I write in support of the application.

I am very much of the opinion that the proposed development will improve the site, which currently has a very large and under utilised plot. I have looked through the design proposals and feel that they are sympathetic to the landscape. I note that there is a comprehensive impact assessment for the proposal.

The design looks appropriate and is no different to the other developments in the vicinity.

36 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 13th January 2020

I'm writing to support the proposal for the above application.

The proposed scheme is sympathetic with the surrounding area & is in keeping with other houses that have been built / are being built in the area.

41 Charlton Close
Cheltenham
Gloucestershire
GL53 8DH

Comments: 14th January 2020

As members of Charlton Kings Cricket Club and regular dog walkers in this area, we have reviewed this planning application.

We are in agreement that the design is sympathetic to the local area and nearby houses and will not detract from natural beauty of its surroundings.

We have no objections and are happy to support this application.

High View
Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PR

Comments: 26th January 2020

We object to this application. It is yet another erosion of the integrity of the AONB, an important designation for the appeal of Cheltenham yet which seems to diminish in importance with every new building application that gets approved within it.

Additionally, Greenway Lane simply cannot cope with any more traffic - last Friday afternoon it already felt like I was walking my dog along the M5, not the pleasure it ought to be.

14 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 21st January 2020

I would like to object to this application.

The site is located in the Cotswolds AONB, in an essentially rural location. The existing property is surrounded by fields on all sides, bar the single neighbouring Greenway Farm dwelling.

Cheltenham Borough Council's own Landscape Character and Sensitivity Assessment (April 2015) classified this location (Greenway Wooded Pasture Slopes) as having a Low capacity for development, with High landscape sensitivity, Medium-High visual sensitivity and High landscape value.

Whilst planning applications may have to be considered individually, without prejudice to future applications, it is undeniable that permission to build in this case would only make future applications more likely in this sensitive vicinity. Indeed the applicant themselves informed me they were encouraged and emboldened to make this application by the permission granted in 2019 for development at Cromwell Court.

Whilst this application in isolation might seem acceptable, it chips away at the edges of the AONB and creates a context for further development. The aggregate effect of such incremental erosion to the AONB would not be acceptable.

In practical terms, I also question the suitability and sustainability of the local facilities to support yet more development. The state of the road surface along Greenway Lane is already disgraceful and dangerous. With absence of pavements and public transport this plan would be guaranteed to result in another 4 vehicles regularly on the road. Local doctors and schools are already over-stretched. These things need addressing if development continues to be permitted at the current rate in this area.

Lastly, I note the homogeneity of the supporting public comments and their means of submission, with a highly questionable similarity to the pattern of comments submitted for the nearby Cromwell Court application in 2019.

Cherry Court
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 25th January 2020

I am concerned that the semi rural nature of the site will be changed to one of a domesticated residential use. The application is the latest in a series of residential applications in and around Greenway Lane and the rear slopes of Battledown hill that have the cumulative affect of eroding this unique gentle semi rural land that runs along Greenway Lane. The incremental urbanisation of this marginal land should not be supported in either the interest of the AONB, general public amenity or conservation of a range of protected species who use this undeveloped corridor. The increased development of the area will remove that which makes this a special part of Charlton Kings, something that is recognised both regionally and nationally as of benefit to the town overall.

In particular the development does not conserve or enhance the site. The existing dwelling that is Kyle Lodge sits most peacefully in the landscape but the development in the garden increases the level of human activity demands on the land twofold and does not maintain the scattered and sporadic nature of human activity in the lane.

The development will have a negative impact on the land which outweighs any benefit to be had by increasing the density of dwellings in such a sensitive site.

Friends of Oakley Farm Pasture Slopes

Comments: 21st January 2020

Letter attached.

BY HAND

The Planning Department
Cheltenham Borough Council
The Promenade,
GL50 1PP

Greenway Farm
Greenway Lane
Chelton Kings
Cheltenham
GL52 6PN

12th February, 2020.

Ref: Planning Application - 19/02449/Fu - KYLE LODGE.

At: David Oakhill - Head of Planning
Tracey Lewis - Director of Planning
Ben Hawkes - Case Planning Officer.

Dear Sir / Madam,

We are the immediate neighbours of the Owners/Occupiers of Kyle Lodge who are submitting the u/m application which falls within the Cotswold AONB and outside the Cheltenham Park.

Furthermore, you will note from the Historic Landscape Character and Settlement Pattern Analysis submitted on 17th December, Greenway Farmhouse (our property) across the Lane, is one of 2, 19th Century properties (the other being Battledown Manor) in the immediate vicinity and both of stone construction in the typical Cotswold style. Our Farmhouse being on the 1886 O.S. Map. is only metres away from the proposed site.

So you can imagine our shocked reaction when presented with the photomontage of what is proposed. In response, Mr Gleason drew our attention to similar modern designs within the Cheltenham Park and I have no doubt suitable sites can be found within the Park of Cheltenham, Gloucester or Jericho for such a design.

Of the 52 public & consultee comments to date, it appears some 33% are objecting to this plan, the majority of whom are residing in or close to Greenway Lane.

The remainder, supporting the plan are in the main residing quite distant from the site and probably canvassed, as is the Applicant's right to do. Those of us living in the Lotswold AONB have an obligation (unwritten) to maintain it's character in every possible way. In our opinion this plan does not contribute positively to that obligation and does not respect the residential amenity of the area and that of existing neighbours.

Many of the objections filed deal extremely well with the AONB and landscape aspects of this plan, so we will not repeat them here, but rather prefer to deal specifically, concerning the site and plan and the survey of certain documents.

1) The Application Form: The site land was part of Greenacres Farm i.e. agricultural and we are not aware of any granting of change of use.

2) Lotswold Transport Planning: a) States "existing telegraph pole retained". It is not a telegraph pole but a pole supporting a 3 phase electricity supply. We don't think planners or the electricity supply company would approve of a new residential property erected under power lines.

b) "Existing tree to be removed". This is a preserved oak tree T53 on the TPO, 1973. This was previously an ash which became diseased and with the permission of CBL Tree Department was felled, on condition that an oak was planted as a replacement, so T53 still exists, therefore

there is ~~not~~ prospect of a new dwelling access here. Also we understand that there is a mains private water supply piping to a close property passing through the site near this point. Of course it is possible this could be re-sited - but not the power lines or the T53 preserved oak - we imagine.

3. There has been reference to the fact that this is a Brownfield Site. We understand that a Brownfield Site is one which was formally developed. This is/was agricultural land, with no history of previous development.

4. The application refers to sustainable drainage and main sewer connection. We must draw attention to planners (4 Severn Trent) that it appears that the sewer connection is believed to be one of "small bore" passing down from Battledown Manor and ultimately through one of our farm fields before passing the Chase to a larger bore connection near the allotments.

It appears this sewer is corroded and been blocked on a number of occasions with foul effluent coming to the surface in some locations. It would not therefore be prudent to add more properties to this deteriorating pipeline at this time.
(Ref: 20/00154/FUL & 19/02449/FUL)

5. We wish to comment on the Landscape & Visual Appraisal & Consultation Comments in general terms on this plan Ref: 19/02449/FUL, 19/01252/FUL and 10/0027/FUL.

The first 2 relate to current proposals where Ryder Landscape Consultants noted their comments for both applications. Without going into detail, we comment that for locations just 40 metres apart, we cannot believe the contrasting nature of the reports - chalk & cheese, but on a more serious point we question the following:-

When planning is permitted - inspectors attend to ensure Building regulation are complied with, but in the case of ~~proposed~~ detailed landscaping as proposed, there appears to be no "policing" to ensure such programmes are adhered to and carried out.

Ten years ago Kyle Lodge were permitted certain extensions (10/00027/FM) where nearly all existing planting was to be retained (I think with the exception of the removal of 1 tree) This was not adhered to and with no "policing" much of the screening amenity to Greenway Farm was removed.

I feel the planning department should have been responsible, to ensure as a condition of the permit, this screening was retained.

As neighbours we have had to negotiate with the occupants to plant new screening to replace that lost and it is only now that after 10 years we are almost back to the original maturity.

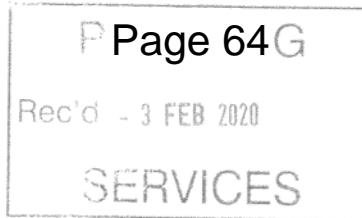
This has caused unnecessary tension between us & is still not fully resolved. As a livestock farmer for many years, I have always appreciated good neighbours and wish to retain such benefits. This flaw in the planning system needs to be addressed.

Finally and in conclusion, we cannot accept the current application and object on the basis that it does not lead to landscape or visual deterioration in the AONB.

We would give consideration to a low profile proposal in keeping with the typical Cotswold style of building (as Kyle Lodge currently presents) if all other constraints can be resolved.

Yours sincerely,

**The Gray House,
Harp Hill
Cheltenham GL52 6PR.**



*This is the second
hard copy as we
can't log onto
your on-line site*

31st January 2020



Re: *planning application. 19/02449/FUL Kyle Lodge*

We would like to strongly register our objection to the above which appears to be another incursion into ANOB land.

Besides the whole area being ANOB, Greenway Lane is a very narrow, rural area outside the urban district of Cheltenham and has been designated by CBC Landscape Assessment as being "high in sensitivity and landscape value".

The proposed build is right next to a well used public footpath in an area enjoyed by many walkers, horse riders and dog walkers who are there for the serenity and peace of the landscape. There are no footpaths, curbs, drains, or lights and the Lane cannot take further traffic from such a huge house, the design of which seems totally out of place in a rural country Lane.

The Lane is already over-used as sat-navs now direct traffic from the A40 via Greenway, round the dangerous corner at the reservoir, then down Harp Hill to the vastly over congested roundabout system into Hales/Hewlett/Priors road. Also there is considerable weight of traffic from St Edwards School to 6 ways making that junction a nightmare at rush hours.

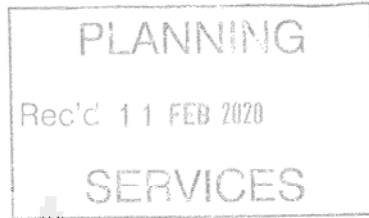
Surely we should protect our ever decreasing ANOB and green fields for future generations without further air pollution from the extra vehicles which would obviously be involved.

We are also very confused by the number of supporters of this application who certainly do not reside in the local vicinity.?

We trust the above will be seriously considered and hope for a well judged decision against this application.

Yours sincerely





3 Eldorado Crescent
Cheltenham
GL50 2PY
11th February 2020

Planning Department
Cheltenham Borough Council
Municipal Offices
Cheltenham

I write concerning the following proposal

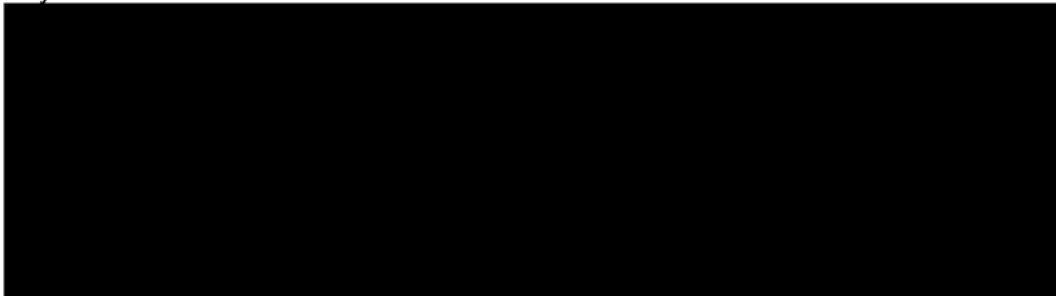
19/02449/FUL
Construction of a single 5-bedroom self and custom build dwelling.
Kyle Lodge, Greenway Lane, Charlton Kings

FULLY SUPPORT

As a resident of Cheltenham and regular dog walker I have taken interest in the proposed development and totally support it. The design of the proposed property is obviously very sympathetic to the beautiful surrounding area and has been designed in conjunction with the input of a landscape and ecology specialist whose report was exceptionally thorough and very interesting.

I feel that is important to support well designed, architecturally impressive properties. Cheltenham has a strong history for being forward thinking and progressive in its design of houses and I think this house would be a perfect addition to our stunning town.

Yours faithfully





33 Hiliary Road
Cheltenham
GL53 9LB

11/02/20

Cheltenham Borough Council
Planning Department
Cheltenham

I write to offer my **SUPPORT** for the following property

Planning application : 19/02449/FUL
Kyle Lodge, Greenway Lane, Charlton Kings

I totally support the above planning application for the buildings of a single property on a brownfield site within the garden of Kyle lodge. As a local resident and user of Greenway lane I feel that the above proposition would be an exciting addition to Greenway Lane and would enhance the area. I have purposely delayed writing this letter as I wanted to review all the documentation and supporting evidence so that I could submit a balanced and informed opinion. The supporting evidence on the council planning website demonstrate that the plans comply with the CBC landscape policies (as stated by the landscape architect appointed by CBC - Stuart Ryder). It is clear from the reports that the plans have been very carefully constructed and designed appropriately for the area. I also believe that the proposed property will compliment the properties due to be constructed on the Cromwell court site which is next door but one to Kyle lodge.

Yours faithfully

A solid black rectangular redaction box covering the signature.

A solid black rectangular redaction box covering the address.



Reservoir Lodge
Harp Hill
Charlton Kings
Cheltenham
GL52 6PP

01/03/20

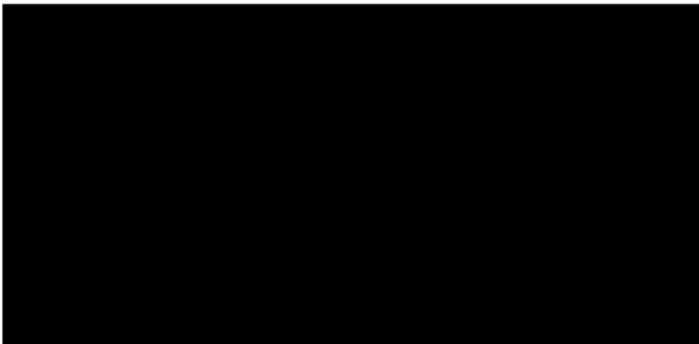
Dear Mr Hawkes

Re - Application for planning permission of single dwelling within the garden of Kyle lodge

Ref- 19/02449/FUL **SUPPORT**

I live at the top of harp hill a few metres away from Greenway Lane. We see several proposals in this area which are inappropriate for example Oakley Rise Pastures however the above proposal is an entirely different proposition. I like the majority of residents on Greenway Lane and within Charlton Kings totally support this application for a single dwelling within the garden of Kyle Lodge.

Yours sincerely



Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

B Hawkes Esq
Planning Officer
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP



10th February 2020

Dear Mr Hawkes

**Re: Planning Application, Reference No. 19/02449/FUL
Kyle Lodge, Greenway Lane, Charlton Kings**

I write to object to the above Planning Application:

- 1a) To state the obvious once more: This is a Cotswold Area of Outstanding Natural Beauty (AONB).
- 1b) I, along with my family, have had the privilege of living here for 52 years in the peace and tranquillity of the countryside. Hallam Oaks immediately adjoins and overlooks Kyle Lodge.
2. The much quoted Brownfield Site ruling by QC Charles George, Dartford case, on 21.01.2016, dealt with Green Belt land, a mobile home and the term previously developed land. It did not grant a carte balance ruling to all such applications concerning residential gardens/land.
3. The section of land on which the above application is sought was purchased, by the then owners at that time, in 1985 and was classified as agricultural/farming land. There was no orchard, as has been suggested, no hedges to the west or north (by Hallam Oaks' compass) and the farmer's livestock roamed freely across the fields – often escaping onto the Hallam Oaks' private ground. The referred to land had never previously been developed and the fact that it appears to have been cosmetically treated, as part of the garden, is another matter. Does this constitute a brownfield site?
4. The architectural comparison put forth between the Battledown Estate and this application in the AONB is irrelevant. The Battledown Estate was established by a Deed of Trust in 1859. The Cotswold AONB was designated in 1966 and has no bearing on the former. In 2015, the Government re-affirmed the importance of protecting and preserving the AONB.
5. I completely endorse the balanced, and technically informative letters received in from:
 - Friends of Oakley Farm Pasture Slopes AONB
 - Cheltenham Civic Society
 - Campaign to Protect Rural England
 - 43 Birdlip Road
 - The Gray House
 - 14 Greenway Lane – both letters
- 6a) When Kyle Lodge (originally built as servant quarters for the butler and the gardener to Battledown Manor, around 1935/37), now a lovely approximately 85 year old house in its own right, sought to add a large extension, some ten years ago, it had to finally comply with strict building and materials regulations – eg. Cotswold stone had to match Cotswold stone, roof tiles likewise. A splendid

operation was carried out and the finished product one of a superior six bed roomed small mansion. Such a property requires appropriate grounds to complement it, as it currently possesses.

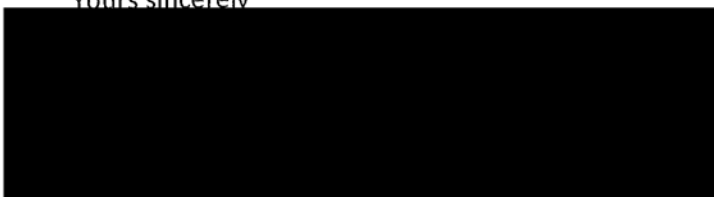
- 6b) Greenway Farm (was Cottage), opposite Kyle Lodge, is again built of old Cotswold stone. Today, if the owner wished to extend likewise, in any way, he would have to comply to exactly the same building strictures.
7. Before the previous owners of Kyle Lodge moved in 2006 (after 36 years of residency) they approached the CBC Planning Department to see if they could build a low lying Cotswold stone/Bradstone retirement bungalow (stairs are best avoided in older age) as they both loved the area deeply. They and their plans were rejected out of hand by the officer involved.
8. Why then can now a large, contemporary, angular, industrial type, box-shaped 3 storey building (one below ground), plus a large separate garage with one storey accommodation above – effectively two buildings – be allowed to rise up, to desecrate the exceptionally gorgeous views to the sunset west from Kyle Lodge and also damaging in the process, “this area of high levels of landscape value and sensitivity”? Nothing could be more at variance. What has happened “to conserve and enhance” – the ethos of the AONB? From all compass points, north, south, east and west, this Planning Application visually destroys. Also, the Ashlar stone from a few feet away can resemble slabs of concrete and its finish could be a far cry from the traditional Cotswold stone of Kyle Lodge.
- 9a) I have pondered much over the Landscape and Visual Consultation Comments report. Was this the same consultant who reported on the Oakfield House Stables application in July 2019 regarding the same AONB, same public footpath and the proposed area being located only a few yards from Kyle Lodge?
- 9b) The hedges referred to in this report are indeed holey and the long boundary hedge between Kyle Lodge and Hallam Oaks, on the northern side, is choking with brambles due to insufficient maintenance over the past 14 years. The hedge has far exceeded its boundary limit and, if cut back to its correct position, there would be little hedge remaining – totally ineffective against the proposed towering Ashlar walls. It is virtually thread bare at the north east end by Kyle Lodge itself and the far northern side of the hedge has not been tended to for several years. This gives cause for concern as to how the “meadow green grass roof system” on the two buildings would be maintained, it could soon deteriorate. I have the same concern for the replanting of the hedgerows and trees – all documented. The open ditch on the roadside by Kyle Lodge is almost completely silted up and the culvert towards the eastern end is crumbling. The countryside is beautiful but it needs to be diligently nurtured.
- 9c) I have to ask the question, “should one have the luxury of felling a semi-mature oak, or any oak with TPOs in an AONB for the sake of new bricks and mortar?” Oak trees do not grow easily.
- 9d) From the north, north-west side, the view across the AONB grassland, to the oaks, fields and hills beyond would be completely ruined. The same would apply for the public footpath coming down from the Battledown Estate. The Leylandii hedge was planted as a windbreak 50 years ago. It is now old and suffered much damage in the winter storms of 2018/19. It also loses at least ten feet in height when cut back periodically. If this finally comes down, the full view of these two austere buildings would be exposed on this northern side, the public footpath and Battledown Manor itself. Therefore, I have to disagree entirely with the statement “There are no views that are blocked or truncated by this proposal” and “Hallam Oaks dwelling is not visible from this site.” The site is completely visible from Hallam Oaks and one shudders to think of the lighting effect from the large windows when darkness descends and the impact on wildlife.
- 9e) I believe, the only new properties to be built since 1966 have been 3 modern creations jammed into the urbanised section of Greenway Lane that is fortunate to border on the rural boundary near the allotments. Extensions only have been added to existing properties and within the statutory limitations. The shepherd’s hut, referred to, was built before 1966 and its replacement likewise –

the latter being a small low-lying bungalow set into the sloping field and barely visible. The exception is Cromwell Court.

- 9f) Cromwell Court was built in the mid 1980s on the site of a small wooden bungalow (The Bungalow) and was surrounded by woodland. Much of this precious AONB wildlife habitat has been lost in recent times. Since then, Oakfield House Stables has applied for a contemporary build on 19/01252/FUL, was rejected, but has currently re-applied (revised scheme) on ref no. 20/00154/FUL and letters of support/objection must be received by 19.02.2020.
- 10a) Greenway Lane itself, traffic and a further new entrance: The Charlton Kings Cricket Club is currently being rebuilt and the noise of the construction equipment reverberates across the gentle valley (as does the demolition and rebuild of Oakfield Rise across the same fields). Again, this must be having a detrimental impact on the wildlife. On the original plan, the pavilion looks pleasing and it has been a joy to see and hear the youngsters benefiting from the sport – and still is. However, as the smaller Ryeworth CC morphed into the current larger one, it has brought an abundance of cars parked on both sides of the lane, reducing it to a single track, dodging through a battered chicane and ruining the grass verges. The parking frequently stretches from the dangerous corner by the allotments/St. Edward's School concealed entrance to beyond the Greenacres Farm driveway. It is a nightmare and dangerous and, on such days, one has to drive out inch by inch from the entrance as, to the right, the view is complete blind. Therefore, I feel yet a further exit, created by this Planning Application, would only add to the dangers and increase overall traffic flow.
- 10b) I have failed to comprehend the second paragraph in the letter from Ryeworth Fields, CKCC, in the context of the Kyle Lodge application. Surely one is divorced from the other?
11. I have deep concerns that, should any construction work occur, no-one can account for the unseen knock on effects to water courses, springs (there are many), any existing pipe infrastructure and oak tree roots that can travel far (whether veteran or otherwise, with or without TPOs). I will take no responsibility for any costs involved in respect of damage, contamination, water supply shortage or possible re-alignment of pipes, in anyway.
12. Little mention has been made to the volume and variety of wildlife in this area – owls, pheasants, badgers (their runs travel up from Kyle Lodge and over the Battledown Hill), deer – fallow, roe, muntjac, foxes, numerous birds, bats, rabbits, woodpeckers, etc. A wealth of wildlife has already been disturbed/displaced during the past year. Further construction equipment/noise, for the minimum of another year at least, would serve to damage this wildlife even more. The value of peace and tranquillity in this AONB cannot be over-estimated.
- 13a) I have to question the letters of support for this application as many seem to come from the same printed hymn sheet and often from folk not living in this area. This is not dissimilar to the support that the Cromwell Court application received.
- 13b) On several of the reports the proposed Planning Application entitles the buildings "Greenoaks". There is already a property in Greenway Lane that goes by this name and has done so from at least early 1970.

Good, modern architecture has a worth in the right place – but Greenway Lane and this AONB is not the right place. I reaffirm that I object to this Planning Application.

Yours sincerely



Ms T Crews
Director of planning
Cheltenham Borough council



Greenacres Farm
Greenway Lane
Charlton Kings
GL52 6PN
12 February 2020

Dear M/s Crews

Ref: Planning Application 1902449/FUL

We object to this application in its applied form. The buildings are far too box like and rigid in design, they closely resemble the modern style of commercial buildings.

This application is not innovative in design. Merely a close copy of the many "Of our time" structures appearing on the landscape. It offers no architectural merits, other than being a mass of glass and stone clad box shapes, positioned to form a structure. It would appear alien to Kyle lodge and opposite neighbour Greenway farm.

The designated position on this site is very one sided, against the west boundary, especially the garage/flat let block.

Greenacres farm driveway and the public footpath follow a line alongside this boundary; the driveway also gives access to Hallam Oaks, and 2 others. The boundary is formed by post and rail fence and deciduous hedging with gaps. Due to the leaf loss in the autumn and winter months, any development on the Kyle Lodge site would result in a high visual impact to walkers on the public footpath, and the wheeled users of the driveway.

Landscape Visual Appraisal report. The superimposed views:-

- Shows Viewpoint.15. looking north east from the highway with the veteran ancient oak T9 (54) in the foreground, this view of the garage/flatlet block would be very overbearing, closely resembling 2 stacked porta cabins. At this point in Greenway Lane/Greenacres driveway, the receptor level for pedestrians, cyclists, and passing motorists would be more high than medium.
- Shows Viewpoint 17.looking south down Greenacres Farm driveway, and the public footpath, with the superimposed view of the two proposed buildings .This view would be extremely overbearing against the skyline, and completely alien to the landscape.
- Lva report page 19 states, The aim is to avoid or minimize the amount of material going of site. The creation of a curved bank at the northern end. The subsoil of this site is heavy clay, considering the application shows a lower ground floor construction, a considerable amount of spoil would be excavated. If this is used to create a curved bank this would form a non-porous barrier and prevent the natural run off from the higher ground, because of the lie of the land. This would divert the natural run off on to our property, and exacerbate the problem we already have with the run off during the not so uncommon periods of heavy rainfall .
- The C.B.C. tree report shows the concern over the siting of the garage/flatlet block with regards to the root protection radius of our veteran oak T9 (54) .This is the largest of the oaks on or near the site, and is of great age.

This application is outside the Principal urban area and well within the AONB.

We share the comments made by the owners of The Chase, who also understand the "Green way" of Greenway lane.

Only a few weeks ago an application 19/01252/Ful also in the AONB and outside PUA and adjoining the public footpath and only 50 meters from the North West Kyle lodge boundary. This application was **refused**.

Yours Sincerely



Friends of Oakley Farm Pasture Slopes – AONB, is a group of local Cheltenham people who support the conservation of precious countryside surrounding our renowned regency spa town. See: www.oakleyfarmpastures.wixsite.com/oakley

We object to this application 19/02449/FUL for the following reasons.

- The proposal is for a very large contemporary designed house located in the Cotswolds Area of Outstanding Natural Beauty AONB. AONBs and the AONBs setting, are afforded significant protection because of their intrinsic beauty and landscape value. Any development within the AONB must enhance and conserve the AONB and it is our opinion that in this instance this would not be the case.
- A public right of way runs adjacent to the site where walkers enjoy open views. Any nearby development would significantly harm the footpath's setting and outlook and would be detrimental to the amenity of the users.
- It is our understanding that Cheltenham is currently unable to determine its 5 year housing land supply and therefore NPPF 11 applies. In essence, this policy rules that AONB policies in the NPPF are not out-of-date and therefore still apply to this application.
- NPPF 172 states: Great weight should be given to conserving and enhancing landscape and scenic beauty in, inter alia, Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- We understand that the site can be considered as "Brownfield" land. Therefore, NPPF 117 applies.

NPPF 117. States that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land⁴⁴.

However, because the application conflicts with other policies then Footnote 44 applies: "Except where this would conflict with other policies in this Framework..."

- The site was included in the Cheltenham Borough Council's Landscape Character and Sensitivity Assessment of Cotswolds AONB / May 2016. Site Ref: LCA 10.11. It appeared in the Greenway Wooded Pasture Slopes Landscape Character Area, LCA. The resultant assessment was: Given the LCA falls within a nationally recognised AONB designation, and taking into consideration the visibility of the site and the generally good condition, the overall value of the landscape character area is assessed as High with overall landscape constraint of Major and a resultant landscape capacity of Low.

It could be argued that the proposal is within a residential curtilage and that in itself it possesses no distinctive features or characteristics which would warrant it being regarded as highly sensitive to development. Regard however must be given to the effect that any development on the site would have on this area of AONB as a whole and the effect on the setting of the AONB.

- JCS SD6: Requires that proposals have regard to the local distinctiveness and historic character of landscapes in the JCS area and that all applications for development consider the landscape and visual sensitivity of the area in which they are located or which they may affect.

Given its position, style, design, size and form the proposal would have a significant and severe adverse effect on the landscape and visual sensitivity of the area. It would be completely out of character with its locality and conflicts with the Development on Garden Land Supplementary Planning Document, Box 3 Key Policies for Garden Land Development should this document continue to be valid.

- JCS SD7: Requires that all development proposals in or within the setting of the AONB conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. It also requires that proposals are consistent with policies set out in the Cotswold AONB Management Plan:

Cotswold AONB Management Plan States:

1. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that views - including those into and out of the AONB - and visual amenity are conserved and enhanced.

2. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines.

The proposal conflicts with SD7 and the Management Plan and will have a significant impact on the scenic quality of this location. It will create a major change in the setting of this area of the AONB without enhancing or conserving its scenic beauty.

- JCS SD10 Requires that on sites not allocated, housing development and conversions to dwellings will be permitted on previously developed land within the Principal Urban Area of Cheltenham.

This proposal is not an allocated site and lies outside of Cheltenham PUA.

- Although this is an application for one house it is yet another demand on valuable local resources; schools, health surgeries etc. and, due to its isolated location, it cannot be considered as sustainable development, an overarching objective of the National Planning Policy Framework NPPF.
- Whilst we appreciate that each planning application must be considered on its own merits this proposal has many similarities with the recently refused planning application 19/01252. Members of the Cheltenham Borough Planning Committee refused that application because:

The local planning authority must give great weight to the conservation of the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) pursuant to paragraph 172 of the National Planning Policy Framework. The proposed development is for a large detached dwelling situated outside of the Principle Urban Area (PUA), wholly within the AONB and adjacent to a public right of way.

By virtue of the scale, mass and form of the proposed new dwelling, the development would not conserve nor enhance the Cotswold AONB and would lead to both adverse landscape and visual change in the local area, including negative impacts on the Public Right of Way (PROW) to the immediate east of the site and would alter the existing rural character of the site and surroundings. The development would therefore be contrary to the NPPF (para 172), Joint Core Strategy policy SD7, the Cotswold AONB Management Plan 2018-23 and the relevant saved policies of the Local Plan.

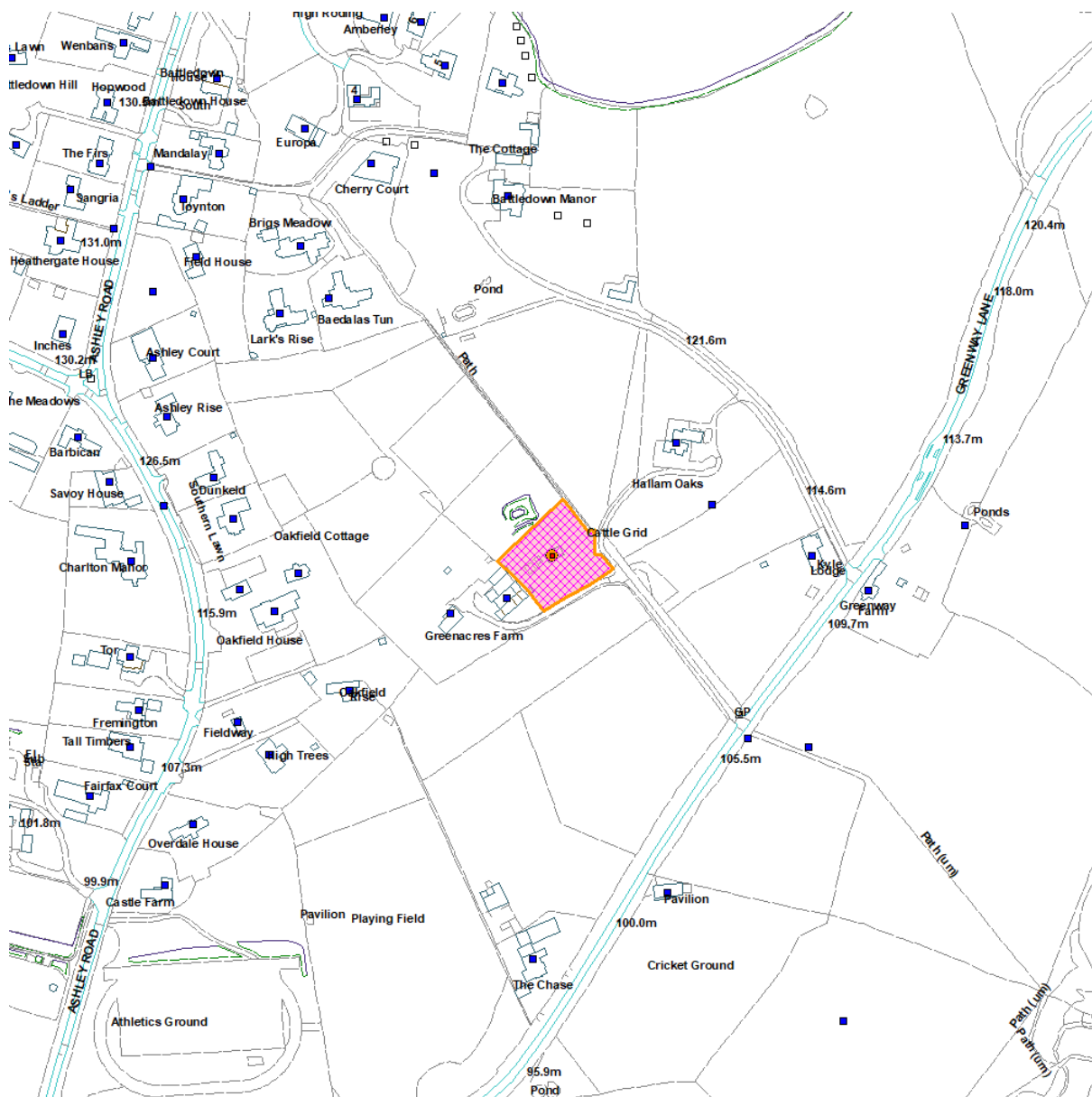
- It is our opinion that the planning balance weighs heavily to refuse the application and therefore we hope that this is rejected by the Council.

Friends of Oakley Farm Pasture Slopes AONB
oakleyfarmpastures@gmail.com

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APPLICATION NO: 20/00154/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 29th January 2020		DATE OF EXPIRY: 25th March 2020
DATE VALIDATED: 29th January 2020		DATE OF SITE VISIT:
WARD: Battledown		PARISH: Charlton Kings
APPLICANT:	Newbay Consulting Ltd	
AGENT:	SF Planning Limited	
LOCATION:	Oakfield House Stables, Oakfield House, Greenway Lane	
PROPOSAL:	Erection of a single self-build dwelling following the demolition of existing stables (revised scheme)	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to an area of land associated with Oakfield House on Greenway Lane, the land currently accommodates two single storey storage/stable buildings. The application site is located outside of the Principle Urban Area (PUA) and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 1.2 The applicant is seeking planning permission for the erection of a self-build dwelling following the demolition of the existing stables. This application is a revised scheme to an application recently refused at planning committee, previous application number 19/012252/FUL.
- 1.3 The application is at planning committee at the request of Councillor McCloskey as the previous application on this site was decided at planning committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Area of Outstanding Natural Beauty
Airport safeguarding over 15m
Residents Associations

Relevant Planning History:

19/01252/FUL 23rd October 2019 REF

Erection of a single self-build dwelling following the demolition of existing stables.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 2 Sequential approach to location of development
CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development

Adopted Joint Core Strategy Policies

SP1 The Need for New Development
SP2 Distribution of New Development
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD6 Landscape
SD7 The Cotswolds Area of Outstanding Natural Beauty
SD8 Historic Environment
SD9 Biodiversity and Geodiversity

SD10 Residential Development
SD11 Housing Mix and Standards
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Cotswold AONB Management Plan

4. CONSULTATIONS

Campaign To Protect Rural England

7th February 2020

This is a revised proposal to build a dwelling on this site following 19/01252/FUL which was refused by the Borough Planning Committee. CPRE made no response to this earlier application only because it was not aware of it.

CPRE objects to the application which seeks to replace derelict farm buildings (which it is misleading to refer to as stables) with a sizeable residential dwelling for the following reasons.

- The site lies in the Cotswolds AONB. The proposals conflict with the NPPF which, at paragraph 172, says "Great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty". Likewise, Policy SD7 of the Joint Core Strategy states: "All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."
- The site lies outside the Principal Urban Area of Cheltenham in an area which is essentially rural in character. The site was formerly part of nearby Greenacre Farm and is separated both from Battledown and from other parts of Charlton Kings by open fields. It is not connected to any other development and so cannot be regarded as urban brownfield land.
- The site lies in an area of highly sensitive and valued landscape. A Landscape Character, Sensitivity and Capacity Assessment of the Cotswolds AONB within the Cheltenham Borough Administrative Area was commissioned by Cheltenham Borough Council and reported in April 2015. This site falls within Landscape Character Area 10.11, 'Greenway Wooded Farmed Slopes'. This area was assessed to have a Medium-High visual sensitivity, High landscape sensitivity and High Landscape Value, indicating that its landscape capacity for development is Low.
- There is a well-used public right of way adjacent to the application site. Any development therefore would have a damaging effect on views from the footpath, as well as from further afield.
- The box-like design of the proposed dwelling, while not quite as intrusive as the previous design, remains significantly out of keeping with its environment. The dwelling still occupies a very large footprint and while the green roof is commendable it will do nothing to ameliorate its appearance when viewed from ground level.
- The area where the site lies is part of the rural fringe of Cheltenham which acts as a natural barrier to the town. This is an area which has been robustly defended from development in the past. There is already an application for a new house adjacent to nearby Kyle Lodge (19/02449/FUL). And the submission shows that the applicant already owns the open fields between the application site and Battledown

are in the same ownership. If approved, therefore, the proposed development would be a catalyst for further applications to develop the surrounding area which lies within the Cotswolds AONB.

- CPRE urges the Borough Council to refuse this application. Should the Planning Officers recommend approval, we request that the application be referred to the Council Planning Committee for a decision.

Cheltenham Civic Society

2nd March 2020

OBJECT

The Civic Society Planning Forum objects strongly to this proposed development within the AONB, which would adversely affect the AONB and would be contrary to the AONB Management Plan, the NPFF, JCS and Local Plan. The Forum endorses the comments by CPRE and the Cotswold Conservation Board.

Our reasons for objection are exactly the same as those given by the Council for rejecting the previous scheme on this site. The forum is concerned that the previous application enjoyed the support of local authority officers, despite the AONB location and contrary to the local authority's own planning policies regarding the AONB. Therefore, we ask that the decision on this application be made by the council's planning committee.

Gloucestershire Centre For Environmental Records

5th February 2020

Biodiversity report available to view.

Cotswold Conservation Board

13th February 2020

The Board does not normally comment on planning applications for single dwellings. However, we are concerned about the ongoing (sub)urbanisation of the Cotswolds AONB around the east side of Battledown Hill, along Greenway Lane and its environs.

The Board does not have capacity to provide a full consultation response. However, we would like to bring to your attention the following points and ask you to give these great weight in your planning decisions:

- o Cheltenham Borough Council's landscape assessment of the Cotswolds AONB within Cheltenham Borough, which identifies both these locations as high landscape character sensitivity, high visual sensitivity, high overall landscape sensitivity, high landscape value, major overall landscape constraint and low overall landscape capacity. (Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area).
- o The Cotswolds AONB Landscape Strategy & Guidelines, which identifies Landscape Character Type 2 (Escarpment), in which these sites are located, as being very sensitive to change.
- o Housing need within the Cotswolds AONB:

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- Policy CE12 of the Cotswolds AONB Management Plan, which states that development in the Cotswolds AONB should be based on robust evidence of local need arising from within the AONB ... Priority should be given to the provision of affordable housing
- the Government's Planning Practice Guidance states that AONBs should not normally be considered suitable areas for accommodation unmet needs from adjoining (undesigned) areas (i.e. the part of Cheltenham Borough outside the AONB).
- o The aspirations of Cheltenham Borough Council for the Battledown Road area at the time of the AONB boundary review (see attached document).

GCC Highways Planning Liaison Officer

14th February 2020

No objection (subject to conditions)

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Required

Tree Officer

12th February 2020

In principal the Trees Section does not object to this application pending submission of further information. Please could a Tree Protection Plan be submitted and agreed before determination. Also on the landscaping plan (drawing no. 19097.102) the key lists 7 *Betula pendula* to be planted but on the plan 8 new trees are labelled as *Betula pendula*, please could the number of trees to be planted be clarified.

Building Control

30th January 2020

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

Parish Council

11th February 2020

No objection

Architects Panel

11th March 2020

Design Concept

The panel recognised that this building design was an improvement on the previously refused design in that it was now a single storey dwelling and therefore had less impact on its surroundings and the AONB.

Whilst there were many features of the design that were attractive, the panel had difficulty understanding the site layout and in particular the two dry stone spine walls that are prominent features of the house design but bear no relationship to the garden or the special landscape features of the site. The panel felt the building plan looked like it was dropped into the middle of the site in a somewhat haphazard way resulting in uncomfortable external spaces.

The front elevation, which is the most important public view of the

building, is composed of low key relative banal outbuildings which the panel felt was inappropriate in this setting.

Design Detail

The detailing of the building and choice of materials was generally liked and the panel concluded that if the layout could be resolved to provide a more attractive frontage and quality landscaped spaces around the house, it could support an amended design of similar scale with fully worked out details.

Recommendation

Submit amended design layout.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	19
Total comments received	7
Number of objections	7
Number of supporting	0
General comment	0

- 5.1 19 letters were sent to neighbouring properties or to people who had commented on the previous application. In addition, whilst not a statutory requirement a site notice was also displayed.
- 5.2 A total of 7 letters of objection have been received, the concerns raised have been summarised but are not limited to the following:

- Principle of a new dwelling in this location
- Impact on AONB
- Scale

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 This application is a revised submission, which seeks to overcome the previous refusal reason given by planning committee which related to the impact of the proposal on the AONB. The previous application number 19/01252/FUL previously set out all the considerations of the application which relate to the principle of a new dwelling, design, impact on neighbouring amenity, impact on the AONB, impact on existing trees, highways safety and impact on protected wildlife.

6.3 Previous application

6.4 The previous application was refused at planning committee in October 2019, the refusal reason given at committee was as follows:

‘The local planning authority must give great weight to the conservation of the landscape and scenic beauty of Areas of Outstanding Natural Beauty (AONB) pursuant to paragraph 172 of the National Planning Policy Framework. The proposed development is for a large detached dwelling situated outside of the Principle Urban Area (PUA), wholly within the AONB and adjacent to a public right of way.

By virtue of the scale, mass and form of the proposed new dwelling, the development would not conserve nor enhance the Cotswold AONB and would lead to both adverse landscape and visual change in the local area, including negative impacts on the Public Right of Way (PROW) to the immediate east of the site and would alter the existing rural character of the site and surroundings. The development would therefore be contrary to the NPPF (para 172), Joint Core Strategy policy SD7, the Cotswold AONB Management Plan 2018-23 and the relevant saved policies of the Local Plan.’

6.5 This application has therefore been submitted by the applicant in order to address the above refusal reason, the officer comments below relate to this new application.

6.6 The site and its context

6.7 The application site is an area of land which is associated with Oakfield House on Greenway Lane, the site currently comprises of two relatively dilapidated storage/stable buildings and is located outside of the PUA and wholly within the AONB.

6.8 Directly adjacent to the application site is the neighbouring site occupied by ‘Greenacres Farm’, but generally the immediate locality is open land with dispersed settlements which are generally large detached buildings sat within generous plot sizes.

6.9 Principle

6.10 Whilst this is a new proposal, there have been no significant changes in policy or local context since the previous application was determined that would result in officers reaching a different conclusion regarding the principle of a new dwelling on this site.

- 6.11 The application is being considered at a time where Cheltenham cannot demonstrate a 5 year housing land supply. The application site is located outside of Cheltenham's PUA, the proposal to erect a new dwelling on this site would therefore be contrary to JCS policy SD10. However, as Cheltenham cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF becomes relevant.
- 6.12 Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. In this instance, as Cheltenham cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) of the NPPF is applicable, this reads:

'Where there are no relevant development plans, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

In this instance the application site is wholly within the AONB; therefore whilst the councils current position of being unable to demonstrate a 5 year housing land supply is relevant and is a material consideration of the application the tilted balance is not applied and it does not automatically assume a presumption in favour of development, which could be the case if the site was not designated. The main test as to whether the principle of a dwelling on this site is acceptable is whether it would result in any unacceptable harm on the AONB and surrounding landscape character, this is discussed later in the report.

6.13 Impact on the AONB

- 6.14 The local authority has received a representation from the Cotswolds conservation board, whilst the comment received is not detailed and does not give specific considerations of the application it does highlight concerns and identifies key points that need to be taken into account given the sensitivity of the site.
- 6.15 This revised application sees a significant reduction in the size, scale and mass of the proposed new dwelling; this has been achieved by the removal of the first floor accommodation resulting in the proposal of a single storey flat roof dwelling, there is also a reduction in overall footprint. Furthermore, the position of the dwelling in the plot has been amended; the dwelling now sits further away from the adjacent public right of way.
- 6.16 The previous application was reviewed by an independent landscape architect, who provided a detailed analysis and report of their findings. As only a short period of time has passed since the original application was determined and no obvious changes have taken place in the local context of the site, officers have used the original landscape architects comments in the consideration of this new application.
- 6.17 The landscape architects original response concluded that 'The proposal would lead to both adverse landscape and visual change in the local area and would be contrary to policy SD7 of the JCS'. As before, officers understood that the identified harm specifically related to the scale and massing of the building and in particular the impact of the two storey elements on the public right of way. Previous discussions with the landscape architect concluded that a reduction in scale and the submission of a landscaping plan could reduce the level of harm/impact.
- 6.18 As mentioned in point 6.15 above, the proposal is now for a single storey flat roof dwelling which is significantly smaller than the dwelling previously considered. In addition, the

dwelling has been moved further west and would be further away from the public right of way. Officers consider that the proposed new dwelling in terms of its reduced size, scale and overall massing, as well as its new position in the plot significantly reduces its built form and therefore reduces harm to the character of the area, surrounding AONB and its impact on the adjacent public right of way.

6.19 The development would replace two existing derelict and deteriorating structures which currently have a negative impact on the landscape character, the removal of these is therefore considered as being an enhancement to the site and to the landscape character.

6.20 A landscape and visual impact assessment, produced by MHP, chartered landscape architects has been submitted as part of this revised application and sets out how this revised proposal has been developed in order to address the comments and refusal reason given by planning committee. The summary and conclusion of this document provides the following analysis:

‘The development proposals assessed are limited in scale, contained to a single storey in height and replace existing built form. The development proposals incorporate inherent mitigation measures to soften the potential effects of replacement built form on the edge of settlement location such as limiting the height of the dwelling to a single storey, keeping an appropriate distance between the dwelling and the footpath and incorporating a green roof. The development would be in keeping with the established localised clustered settlement pattern and introduce landscape features which reflect the desirable characteristics of the area. The development will remove site elements in poor condition that presently detract from the valued local landscape. Whilst the development would result in some loss of openness, this would be limited and contained within the context of existing built form present on site the site and enclosure by landform and surrounding vegetation and built form.’

6.21 Officers consider that the design, scale and form of this proposal has been developed having taken on board the landscape architects previous response, officer comments and discussions/refusal reason given at planning committee and has been developed in a way so as to limit the impact on the AONB and landscape character. This revised scheme is not considered by officers to result in unacceptable harm to the AONB or Landscape character.

6.22 **Design and layout**

6.23 The proposed new dwelling sits centrally within the plot and is considered to be of an appropriate footprint and scale for the size of the site, this would also reflect the general character and pattern of development in the locality.

6.24 The proposal includes the introduction of a ‘green roof’, which is considered to be acceptable in principle, however as suggested by the landscape architect details of the type of green roof should be submitted for consideration prior to its installation.

6.25 The overall design of the proposed new dwelling is clearly contemporary; officers feel that careful consideration has been given to the form, design and use of materials and the proposal results in a building that is of an acceptable design for this location. A condition requiring material samples/details to be submitted has been suggested.

6.26 **Impact on neighbouring amenity**

6.27 As mentioned above, this application seeks consent for a wholly single storey dwelling, due to the size of the plot, the position of the dwelling within the plot and its relationship

with neighbouring land users, the proposal is not considered to result in any unacceptable impact on neighbouring amenity in terms of a loss of light or loss of privacy.

6.28 The reduction of the proposed dwelling to a single storey from that of a two storey dwelling would also reduce the presence of a new dwelling in this site and would not result in any overbearing impact on any neighbouring land users.

6.29 As before, a condition has been suggested that prohibits the installation of external lighting as this could be considered to have a greater impact on the area during evening hours.

6.30 Due consideration has been given to the letters of objection received, although concerns are raised they do not specifically relate to impact on neighbouring amenity.

6.31 It is not considered in this instance that the proposal will result in any unacceptable loss of light, loss of privacy or overbearing impact on any neighbouring residential land user and is therefore considered to be compliant with local plan policy CP4 and JCS policy SD14.

6.32 **Access and highway issues**

6.33 Gloucestershire Highways have reviewed the revised submission; no objection has been raised however a condition relating to a construction management plan has been added. The proposed dwelling is not considered to result in any highway safety implications and is considered to be acceptable on access, parking and highway safety grounds.

6.34 **Impact on protected species**

6.35 As with the previous application, records identify that important species have been sighted near the application site in the past and in particular bats recorded in 2017, the sighting was recorded as 215 metres from the site. In addition badgers have been recorded in 2017, 245m from the site. In light of this, an Ecological assessment was previously requested and provided.

6.36 The previous ecological assessment concluded that there was an 'occasional pipistrelle night roost used by a small number of individual bats located in the existing stable building.' The impact to local populations within the report is considered to be 'negligible'. Officers accept that there is an occasional night roost in one of the buildings but are confident that suitable mitigation measures can be provided to ensure that any bats are appropriately protected. A condition requiring suitable mitigation measure details to be submitted prior to any works starting has therefore been suggested.

6.37 It is important to note that all bat species, their breeding sites and resting places are protected by law as they are European Protected Species.

6.38 With regard to badgers, the GCER report acknowledges the presence of Badgers in the local area, however there is no information or evidence to suggest that there are any setts on the application site.

6.39 **Trees**

6.40 The council's tree officer has reviewed the application and raises no objection to the proposed development. However, the officer has requested that a tree protection plan is submitted, this has been suggested as a condition.

6.41 **Other considerations**

6.42 Officers acknowledge the comments received by the Architects Panel, however these have been received relatively late in the process and after the main considerations of the

application have taken place. Having said that, officers understand the comments and concerns that have been made, however as already mentioned, officers consider the proposed design, form and layout of the proposed development to be acceptable and do not consider that further revisions would be necessary in order to achieve support of the scheme.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Officers fully appreciate the sensitive location of this site and fully acknowledge the concerns that have been raised by local residents and comments provided in the various consultation responses.
- 7.2 Having fully considered the revised plans, the councils previous landscape architects comments and the content within the applicants landscape impact assessment, it is clear that this revised application has been developed in order to address the previous refusal reason and it is the view of officers that the proposed dwelling is of an acceptable scale form and design for this plot and has been designed so as to have minimal impact on the surrounding AONB and landscape character.
- 7.3 On balance, given that officers consider there to be no unacceptable harm to the AONB and the design, scale and form of the new dwelling to be appropriate, as well as being acceptable in terms of impact on neighbouring amenity, impact on trees and appropriate landscaping, any identified harm is not considered to significantly or demonstrably outweigh the benefits, when assed against the relevant policies/framework, therefore officer recommendation is to permit the application, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

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

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Prior to the commencement of development (including demolition and site clearance), a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and /or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).

Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 4 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).

- 5 Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall be a self-build dwelling as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall not be used for any other purpose without express planning permission.

Reason: To ensure there are enough serviced plots of land to meet the demand for self-build and custom housebuilding in the borough, having regard to the self-build register and the provisions of the Joint Core Strategy (2017).

- 6 Prior to installation, details of the green roof shall be submitted to and approved in writing by the local planning authority. The details shall include the type and final established character of the proposed green roof.

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).

- 7 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 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 extension or alteration requires further consideration to safeguard the amenities of the area, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4, SD7 and SD14 of the Joint Core Strategy (2017).

- 8 No external facing or roofing materials shall be applied unless in accordance with:

- a) a written specification of the materials; and/or
- b) physical sample(s) of the materials.

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

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

- 9 No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

- 10 The vehicular accesses shall be constructed in accordance with the submitted plan drawing no. PL005 with any gates hung so as to open into the application site 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.

- 11 Prior to the commencement of development, 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.

- 12 No external lighting shall be installed without prior written consent from 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).

- 13 Notwithstanding the Ecological Assessment received on 6th September 2019, prior to the commencement of any works including site clearance/demolition, a detailed scheme for mitigation measures in relation to bats shall be submitted to and approved in writing by the Local Planning Authority.

The approved mitigation measures shall be adhered to and implemented throughout the construction period and thereafter shall be maintained in accordance with the approved details.

Reason: To ensure that adequate mitigation measures are provided in order to safeguard protected species in accordance with adopted JCS policy SD9 and paragraph 175 of the NPPF, this information is required upfront because without proper mitigation the construction works could have an unacceptable impact on protected species at the beginning of construction.

APPLICATION NO: 20/00154/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 29th January 2020		DATE OF EXPIRY : 25th March 2020	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Newbay Consulting Ltd		
LOCATION:	Oakfield House Stables, Oakfield House, Greenway Lane		
PROPOSAL:	Erection of a single self-build dwelling following the demolition of existing stables (revised scheme)		

REPRESENTATIONS

Number of contributors	7
Number of objections	7
Number of representations	0
Number of supporting	0

Haytor
65 Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PR

Comments: 19th February 2020

We would like to object to the application 20/00154/FUL for Oakfield House Stables, Oakfield House, Greenway Lane, Charlton Kings, Cheltenham, Gloucestershire.

Oakfield House Stables sits in the Cotswolds AONB, which is protected land around Cheltenham. It is part of the appeal of Cheltenham and this area and has been designated as AONB for this reason.

We feel very strongly about building on AONB land. Cheltenham has a plan for new housing and this does not form part of it. Oakfield House is typical of the large properties around this area that sit in a substantial plot. We feel strongly that the properties in this area should not be given permission to reduce their green space in order to build more houses (sadly this has already happened at Cromwell Court, also on Greenway Lane and also part of the AONB).

Greenway Lane is a country lane with no transport links, no footpaths and no cycle lanes, meaning travel by car will be essential, thus increasing traffic and impacting the environment. The area is used by walkers, runners, cyclists and horse riders because of its beauty and if houses are allowed to be built on this land, increased traffic, pollution and the destruction of wildlife will spoil it.

It is essential that the report by Ryder Landscape Consultants re the original application should again be referred to in the consideration of this application, as the majority of its observations still apply to the new application. We will not highlight the individual elements of that report that are still appropriate but encourage the Planning Department to consider its observations in reaching its decision. It is however worth repeating part of the report's summary here:

"The visual benefit of replacing dilapidated stables with a large residential dwelling has not been proven. It would also lead to an adverse landscape effect by changing the rural character of the area to one that is more residential in nature. This could lead to a further tilt in landscape character pushing the perceived settlement edge of Cheltenham clearly into the Cotswolds AONB.

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I recognise that this application is solely for the stables site but it could bring further development pressures for conversion, or demolition and development of the adjacent Greenacre Farm barns. This would increase landscape character change in the area."

The reason provided for the refusal of the original application was ultimately ascribed to "the scale, mass and form of the proposed new dwelling". By simply reducing the scale, mass and form of the proposed dwelling it does not follow that this is sufficient to warrant the granting of permission, and the new application still does not show that the development would conserve or enhance the Cotswold AONB. As such the new application is also contrary to the NPPF (para 172), Joint Core Strategy policy SD7, the Cotswold AONB Management Plan 2018-23 and the relevant saved policies of the Local Plan.

The applicants' LVIA states (para. 6.21): "Prejudice to the area's 'openness' is already extant by the existing stable block. Its replacement with a properly considered, low-key, landscaped development can therefore only be an improvement." The existing stable block however is a fraction of the size of the proposed development so we fail to see how this conclusion can be reached.

The applicants' LVIA states (para. 7.1): "the submitted LVIA has confirmed an absence of prejudice to the openness of the AONB", yet this is disingenuous as it is in direct contradiction to some earlier statements within the same LVIA, namely para. 6.11 ("the proposed development may result in the loss of some openness") and references to the proposal's effect on openness (6.13) and the proposal's "harm caused to openness" (6.24).

For the reasons provided above we request that the Planning Department refuse permission for this latest application for development on the site.

Greenway Farm
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PL

Comments: 20th February 2020
Letter attached.

Baedalas Tun
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 24th February 2020

'Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which has the highest status of protection in these issues.'

I have grown up and lived in this part of Charlton Kings for more than fifty years and am deeply connected to the beautiful countryside here where an abundance of wildlife co-exists, including deer, muntjac, foxes, squirrels, bats and very many species of birds; buzzards, woodpeckers, chaffinches, owls to name but a few.

I strongly object to this application and concur with all of the well-documented objections already raised. I am particularly grateful to the Cotswold Conservation Board and the Campaign to

Protect Rural England for their support which underlines that there are proper grounds for our objections.

For the previous application on this site - 19/01252/FUL which was refused - the planners used the services of an experienced specialist Landscape Consultant, Stuart Ryder, to report on the LVIA. It remains an excellent assessment; impartial, thorough, articulate, detailed and passionate and I agree with it wholeheartedly. His concerns were not just about the size of the proposed building so that this report is still relevant for this revised application - where I quote from it my script will be in inverted commas.

- The site is outside of the PUA and entirely within the AONB and therefore not part of the Town Plan.
- Cheltenham has precious little AONB on our fringes - that which we do have we should value and protect.
- The proposed building would not be appropriate in this semi-rural location; to make it a domestic residential one would alter the entire character of the locality and its gentle tranquility. It's key characteristics are those combinations of elements which are particularly important to the current character of the landscape and help to give an area its particularly distinctive sense of place.
- The footprint is too large, it is too modern, not in keeping.
- The proposals are more appropriate for a mixed residential area rather than for the semi-rural nature of the site.
- 'The flat roof prevents the height of a pitched roof adding further impact but of itself does not necessarily prevent visual harm from occurring. It has been described as 'contemporary' but 'contrasting' could also be a description given to it.'
- 'There is a sense of stretch and spread to the proposals. This would be heightened by the use of adjoining external spaces as courtyard and garden. This elongated form is not traditional to the area and contrasts with the nearby property form.'
- 'It is arguable that the building design would not appear as submissive but rather as a large residential property and a considerable increase in scale of built form when compared to the previous stable buildings.'
- The proposal considers the removal of the farm buildings and replacement with the proposed development is a betterment. 'This may be the case in terms of architectural built form and usage but it does not automatically lead to a landscape or visual betterment.'
- 'If the stable buildings were changed to a residential property with a domestic character the perception of the route will change from a farm access to a residential drive and in turn change the character of the area to residential. Put simply, the stables appear appropriate, if in a poor state of repair, for this collection of agricultural buildings. The proposed development would change the scene to a domestic residential area.'
- 'Turning back to the point that the existing stables' dilapidated landscape will be 'enhanced' by the new residential property misses the argument whether the change in built form leads to other more adverse landscape character changes to the area and this part of the AONB.'
- Users of the very well-used public footpath would be VERY affected. 'Landscape screening is proposed but at the short range distance the sense of rural to residential character change will be clearly perceived. The proposed building would be the primary feature of this part of the path.'
- 'Whether the landscape has low or high visual prominence is immaterial to its designation as a part of the Cotswolds' AONB . . . The site is not part of the escarpment that can be seen as the backdrop to wider Cheltenham. This fact is true but the statement does not

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address the contribution that it makes to the landscape setting of this part of Cheltenham and the doorstep recreation value of the landscape and footpaths that run through it.'

- 'When consideration of architectural and matching existing forms of development is taken into account, the proposal will not complement the existing settlement pattern.'
- 'The argument that the site acts as a detractor is attempting to set up the beneficial visual effects appraisal for the development. However, farms and their outbuildings are not normally pristine and that is part of the character of a working rural landscape.'
- Sites that have been allowed to fall into a state of disrepair either by current or previous owners should not be rewarded with planning decisions based on the assumption that the development of a large new modern residential building will automatically lead to landscape and visual betterment on land which is part of the AONB. Arguably, reconstruction into 'actual' stables or demolition and restoring the yard to grass would more readily 'conserve' and 'enhance' the AONB landscape and would delight both neighbours and footpath-users alike.
- 'Adverse effects come about not only from a loss of openness but also from a change in landscape character.'

TO SUMMARISE :

- 'The proposals would lead to both adverse landscape and visual change in the local area. This is in conflict with JCS Policy SD7 as it neither 'conserves' or 'enhances' the natural beauty of this nationally designated area and it is also at odds with the objectives of the Cotswold AONB Management Plan (2018 - 2023).'
- It would create a precedent for further attempts to develop in this lovely location.
- 'The visual benefit of replacing dilapidated stables with a larger residential dwelling has not been proven. It would lead to an adverse effect by changing the rural character of the area to one that is residential in nature. This could lead to a further tilt in landscape character pushing the perceived settlement edge of Cheltenham into the AONB.'

The proposed development site is ENTIRELY visible from ALL of the downstairs daytime living areas of my home as well as the upstairs - NOT partial upstairs views as suggested several times in the LVIA. The downward slope actually accentuates it rather than hides it. This will neither conserve or enhance the lovely view of the AONB as it is now and has been for so many years. It will also contribute to light pollution which is discouraged in protected areas. This is at odds with the Cotswold AONB Management Plan -

- Policy CE1 - Landscape
- This policy states that proposals that are likely to impact on the landscape of the AONB - should have regard to, be compatible with and reinforce the character of the location - and should have regard to the scenic quality of the location and its setting and ensure that views in and out of the AONB are conserved and enhanced.
- Policy CE3 - Local Distinctiveness
- Ensure that the new-built development is visually integrated with the rural landscape setting and does not interrupt the setting of existing views.
- Policy CE5 - Dark Skies
- Concerned with light pollution.

It would be a sad day for local residents if this application is granted. We are blessed to live so close to the massively popular Cleeve Hill - Greenway Lane actually leads to it - and our country lanes are loved by walkers, runners, cyclists, horse-riders, dog-walkers alike, all seeking the peace and harmony of the countryside here. I fervently believe we have a huge responsibility to

preserve this valuable legacy for future generations to enjoy and that although there is a pressing need for new 'affordable' housing, it should not take priority over protecting our environment.

Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 18th February 2020
Letter attached.

Comments: 24th February 2020
Letter attached.

Cherry Court
Ashley Road
Cheltenham
Gloucestershire
GL52 6PJ

Comments: 31st January 2020

Whilst the amended proposal makes an attempt to reduce impact, the overriding principle and constraints of development within AONB are still relevant. The application is not for a replacement dwelling and as such increases the domesticity and urbanisation of what is essential open semi rural land which has currently a sporadic scattering of human activity which is in keeping with the listing of AONB.

The proposal does not enhance or conserve the land use.

The application is the latest in a series of residential applications in and around greenway lane and the rear slopes of Battledown hill that have the cumulative affect of eroding the unique gentle semi rural nature of the land In this unique part of Charlton Kings. The incremental urbanisation of this marginal land should not be supported either in the interest of the AONB, general public amenity or the conservation of a range of protected species who enjoy the marginalised nature of the land off greenway Lane. The increased development of the area will remove that which makes this a special part of Charlton Kings, something that is recognised both regionally and nationally as an attraction by way of the mix of land use in the ward and of general benefit to the town overall.

Furthermore, the footprint of the proposed development is excessive when compared to the gentle imposition of the small agricultural buildings that occupy the site and compliment the adjoining land use.

The land is currently not put to a residential use and is remote from the residential area of Battledown hill and that on greenway lane. The semi rural nature should be maintained .

The Chase
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PN

Comments: 20th February 2020

I wish to add my objection to the long list of other neighbours to this proposed development. The last application (for which the council hadn't notified us about) was refused by a large majority, so I fail to see how this revised plan can really be seriously considered.

Hopefully the council will do the right thing again and continue to protect the AONB.

14 Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LB

Comments: 17th February 2020

Whilst this is an improvement on the previous application, the proposed development is still for a large detached dwelling situated outside of the Principle Urban Area (PUA), wholly within the AONB and adjacent to a public right of way.

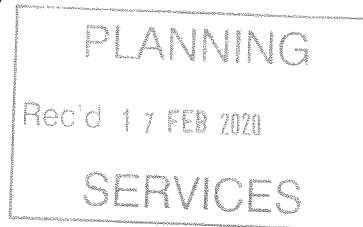
The site is surrounded by fields and Cheltenham Borough Council's own Landscape Character and Sensitivity Assessment (April 2015) classified this location (Greenway Wooded Pasture Slopes) as having a Low capacity for development, with High landscape sensitivity, Medium-High visual sensitivity and High landscape value.

Planning applications may have to be considered individually, without prejudice to future applications, but it is undeniable that permission to build in this case would only make future applications more likely in this sensitive vicinity.

Whilst this application in isolation might seem acceptable, it chips away at the edges of the AONB and creates a context for further development. The aggregate effect of such incremental erosion to the AONB would not be acceptable.

Our family are regular users of the Public Right of Way that passes immediately alongside this site. Even with the modifications to the design this proposal would affect the character and openness of the location.

In practical terms, I also question the suitability and sustainability of the local facilities to support yet more development. With absence of pavements and public transport in the location this plan would be guaranteed to result in another 4 vehicles regularly on the road. We already suffer from significant congestion at peak times, with traffic queued right back past our property from the Sixways junction, with a dangerous effect on air quality and the safety of our young children crossing the road to/from the single-sided pavement at this end of Greenway Lane. Local doctors and schools are already over-stretched. These things need addressing if development continues to be permitted at the current rate in this area.



Hallam Oaks
Greenway Lane
Charlton Kings
Cheltenham
GL52 6PN

B Hawkes Esq
Planning Officer
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

17th February 2020

Dear Mr Hawkes

Re: Planning Application of a single self-build dwelling following the demolition of existing stables (revised scheme) at Oakfield House Stables, Oakfield House, Greenway Lane, Ref No. 20/00154/FUL (Previous Planning Application No. 19/01252/FUL)

I write to object to the above Planning Application:

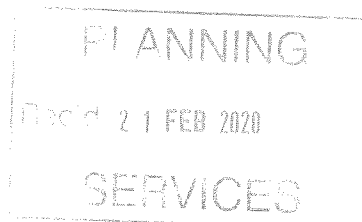
My letter dated 31.07.2019 covers in detail, and history, this referred to AONB application and a copy of same is enclosed under separate cover. However, it seems necessary to reiterate some of these points.

1. I fail to see what has changed in the revised scheme.
2. This Area of Outstanding Natural Beauty was designated in 1966 and no property has been built on it since then – except Cromwell Court that replaced a small bungalow (The Bungalow). Today, regrettably, we have witnessed the desecration of that woodland area and the threat to wildlife. The sanctity and preservation of the AONB was emphasized by the Government and the National Trust in 2015.
3. This application refers to agricultural land – not garden land nor brownfield – in the AONB and should be retained as such. If the sheds are so disagreeable to the applicants, may I suggest:
 - i) that they are replaced/repared for good agricultural use.
 - ii) that they are removed, and wildflowers are planted that would truly 'conserve and enhance' this AONB – also retaining peace and tranquillity.
4. I query why there are now TWO sets of separate gates in respect of this Planning Application – one to service the Oakfield House land (as before) and the second for the proposed new dwelling – yet on the same Oakfield House land that has, I believe, one Access Right only. The Deeds would be required to ascertain this point.
- 5a) Although reference has been made to the off-road parking area attached to the proposed new dwelling, it remains completely inadequate. All delivery vans, lorries, etc., would park outside these gates – especially when shut.
- 5b) I will repeat: This is an Access Only narrow, single lane farm track leading off Greenway Lane and coming to a dead-end by the walker's style, the current gate, with the Public Footpath running through. There is no turning area and any (all) parked vehicles would barricade off the entrance/exit to Hallam Oaks (Battledown Manor) causing a complete blockage of vehicular flow. Vehicles would have to reverse down to Greenway Lane and join the dangerous flow of traffic.

- 5c) In over 50 years of living here this track has ~~never~~ served two properties: Greenacres Farm and Hallam Oaks and never has a parking/blocking issue occurred, each considering the other. During the past year, cars and trucks have parked by the existing gate, thus preventing vehicular flow from Hallam Oaks. Designing a property is one thing, making it safely functional in all aspects is another, particularly with regard to any emergency vehicles. Surely it cannot be legal for any new dwelling to be built that would only accelerate this matter?
- 5d) I would point out that sewerage pipes run under the farm track in this dead-end area. Should this Planning Application have the misfortune to be granted, I would take no responsibility for any damage incurred and I would seek, and expect, full compensation in all directions.
6. The original 2 storey (part) building has now become a single storey with varying roof heights that would give a jagged vista to the naked eye, especially to the many walkers. The rectangular type boxes appear to have just been re-arranged to present a different façade. The green roofs are still horribly apparent, will deteriorate quickly and will conflict with the colours and contours of nature. The variety of possible materials that 'could' be used does nothing to create harmony in this rural location and possibly, one day, in the not too distant future, the 2nd storey would be added. The mantra, "each application is considered on its own merits", would not carry much weight.
7. No consideration of the invaluable wildlife, that I have already catalogued before, is being considered.
8. Yet again I will state: these 2 small sheds were never built as stables and never served as such – all forms of farm animals, yes – pigs, hens, etc. In more modern times, and only for a very short period, was the odd horse bunched inside – sheltering from the rain and the poison of the ragwort.
9. The planned footage, and height, of this proposed Planning Application still greatly exceeds the footage of those 2 small sheds. The building would be totally out of keeping with the character of the area and would continue to be an eyesore to the many walkers on the public footpath.
10. The comment in the LVIA report, in respect of Oakfield Rise, only goes to show how devastating some contemporary architecture can be in the traditional country setting. In my view, it is a travesty, but Oakfield Rise is largely governed by the Battledown Estate and thus the older, fine property was allowed to be demolished and to be replaced with the modern.
11. In Documents, Views 1/2: these are totally artificial photomontages with the proposed sharp-angled buildings appearing to be surrounded by pristine lawns, hedges and relatively established and mature trees. It would take many years for that to be enacted. The reality would be a scar.
12. Looking from all compass points, but in particular from the North to the South West across the AONB, the view would be completely marred, and I disagree strongly with the comment, "The Magnitude of effect is assessed to be NEGLIGIBLE". I think the very balanced Ryder Landscape Consultants' LVIA Report should be revisited again for, as I stated at the beginning, "what has changed in this revised scheme?"
13. The "reduction" only reduces the level of harm/impact on the area-does not remove it – it would remain a carbuncle on the AONB landscape. There is absolutely no requirement for this proposed dwelling, it does not constitute a part in the Borough's 5 year quota requirement and it doesn't off-load the affordable housing issue.

This Planning Application was Refused at its first hearing on 17.10.2019. I sincerely hope that wisdom will prevail again at the CBC Planning Committee Meeting on 19th March 2020 in respect of the AONB and not commercialisation.

Yours sincerely



B. Hawkes, Esq.,
Planning Officer,
Cheltenham Borough Council,
P.O. Box 12,
Municipal Offices,
Promenade, Cheltenham.
GL50 1PP

Page 99

Hallam Oaks,
Greenway Lane,
Chaulton Kings,
Cheltenham -
GL52 6PN.
21st July 2019.



Delivered by hand on
1st August 2019.

Re-submitted on
17th February 2020 by hand.

Dear Mr. Hawkes,

Re: Proposal: Erection of a single self-build dwelling following
the demolition of existing stables at Oakfield House
Stables, Oakfield House, Greenway Lane, Chaulton Kings.

1. I am in receipt of your letter concerning the above proposed Planning Application, that arrived without preceding knowledge.
2. Stating the obvious, but it seems to be necessary to do so:
This is an Area of Outstanding Natural Beauty.
3. This family has had the joy and privilege to live at Hallam Oaks for 51 years in this peaceful Area of Outstanding Natural Beauty countryside. When we arrived it was just rough-chod naked fields and the only trees were the precious oaks. Since then we have worked tirelessly to grow a natural garden encompassing a variety of trees and shrubs. No artificial element (e.g. swimming pool, tennis court) has ever been introduced to spoil the environment and tranquility. Indeed, visitors refer to the "parkland" setting.
4. The Planning Application refers to "existing stables" - this is a complete misnomer. Back in the late 1950s/1960s the then farmer, [REDACTED] owned all the land from Battledown Manor drive, along the top of the Battledown Estate, down to (then) Whitefriars School playing fields, along the boundary of Greenway Lane much of the Kyle Lodge land and the frontal section of Hallam Oaks. This was farming/agricultural (pasture) land - AND still is.

Over the following years, [redacted] had an assortment of farm animals for which he required **Page 100**. He erected 2 SINGLE STOREY SHEDS purely for this purpose - the same 2 that now have the misnomer of Oakfield House Stables. They were well set back from our Area of Outstanding Natural Beauty line of vision. THE SHEDS housed, in turn, hens, chicks, pigs/sheep/lambs. At one stage he also kept cows. I remember it well: the livestock all frequently escaped (a farmer's fence rarely being of high quality) on to our grounds. This culminated, one dark winter's evening, when the family was shocked to see a large cow's head watching us through the lounge window, in turn, watching television (there was no need to draw curtains in those heady days). This resulted in us finally installing the all important CATTLE-CRID - which is there to this day.

These referred to SHEDS were never intended to house horses and did not do so until many years later ([redacted]). Foolishly, in my humble view the, now, Oakfield House big field, was hired out for grazing horses. The field, then, was covered in dangerous ragwort and the sheds were somewhat unhygienic. Their riders, never content to gather in the field, elected instead to assemble on the private drive in front of our CATTLE-CRID/entrance - obviously blocking our exit. This also happened for a short period when Battledown Manor lived out their own large field for the same purpose.

Whilst on the subject of SHEDS: [redacted] also erected a monstrous, very large, silver-white shed (I have photographs) on the land in front of Hallam Oaks - quite large enough footage on which, today, to build a low-lying bungalow. This SHED housed more farm animals, especially pigs and sheep, rats and, eventually, many decaying cars. When we eventually purchased that piece of land we decided, for health and safety reasons, to destroy the monstrosity. Maybe it was a foolish move

in light of the current ³ circumstances?

5: This now takes me to the current Planning Application and the same SHEDS. Why is it not possible to restore the one SHED and replace the second? Surely much cheaper than the cost of building a new property? These SHEDS could then be used for agreeable, appropriate farm/pastoral agricultural purposes and the land kept in good condition. It was only very recently that one woke to the sound of bleating sheep grazing away and, I believe the current owners keep alpacas in a section of their large field anyway.

The Architectural Style proposed in this Planning Application seems, to me, to be in total conflict with this particular Area of Outstanding Natural Beauty. The main imposing house, Battledown Manor, with its fine drive, was built towards the late 1800s; plans for Kyle Lodge were submitted in 1935/1937 and were for 2 small cottages for the butler and gardener employed at the Manor. All the properties were built in complementary Cotswold Stone. ([REDACTED])

Opposite Kyle Lodge (over the road) is Greenway Farm - possibly the oldest of all the buildings in the area - again, in matching Cotswold Stone. All of these resplendent properties have to adhere to strict building/alteration regulations - so much so that, a few years back, Kyle Lodge added a large extension under such terms. Hallam Oaks, itself, was built around the late 1950s/early 1960s, [REDACTED] having obtained permission, in the first instance, from Battledown Manor. The reason for this build was that [REDACTED] being a farmer, needed a house in which to live alongside his farm stock. But, the build had to adhere to, as near as possible, the same coloured stone as the 3 other existing properties - hence the Bradstone and the low garden wall being of the same toning. Another stipulation was that

The building had to be ⁴/₁₀ well set back so that it in no way intruded into the view. Page 102 Hledown Manor - this was accomplished.

In the far South West corner of Greenway Lane (as viewed from Hallam Oaks) lay a property of the same stone colouring - it is currently known as The Chase. When [redacted] subsequently

sold Hallam Oaks to us in 1968 he had a low lying SINGLE STOREY bungalow built (Greenacker Farm) that nestled discreetly into the rising field behind. It was built in that area as, once, there had been a Shepherd's Hut. There are the only reasons for these 2 properties being allowed in the Area of Outstanding Natural Beauty - as it is today.

Therefore, in the light of the above, I fail to understand completely how the proposed plan for "Oakfield House Stables" in any way complements or enhances this Area of Outstanding Natural Beauty.

It is a hard, angular 2 STOREY (in large part) structure, man-cultivated, standing as an eyesore against the true colours and natural curves of nature. Its height will well exceed the height of the current sheds and the building line appears to be far forward of the existing building line of the two sheds - that are currently out of sight from this property. In turn, that serves, from the East, to blot out the lovely Area of Outstanding Natural Beauty views across the rustic fences, fields and on to the gorgeous Lockhampton Hill escarpment beyond. Also, from the proposed current positioning, we could experience invasion of privacy. Surely this proposed property could be set further back as there is plenty of acreage?

The Planning Applicants would have no such concerns as the large, beautiful Oakfield House, itself, is situated far away, round the corner and up the large slope of the field. Neither would any of this Proposed Planning property be seen from any of the Ashley Road houses,

except for Lark's Rise (to a ⁵ degree) Page 103 Baedala's Turn (especially) that would overlook this project. As stated, this field slopes considerably and it was regretted, by some, when the last two named houses were built, as the large buildings served to blot out the trees on the skyline in the setting sun at the summit of the Area of Outstanding Natural Beauty border. But both houses were of extremely attractive design, were on the Battle Estate and there could naturally be no objections.

5 However, at nights when the lights are on, both houses are like "glitter balls" but, mercifully, they are a fair distance away.

But, is this what is proposed for Oakfield House Stables - a "glitter ball" at the end of our drive? This would not be welcomed.

3 I also have great concerns over the "grass" roofing. Past experience has shown that this can wear badly, needs much irrigation and care to be sustained, vaguely successfully, to come in with Mother Nature's hues.

d Fair amount of mention has been made that the Proposed Property would be hidden by the leaves on the trees. May I point out that for 6-7 months of the year the trees have no leaves, come Autumn and Winter? Also, trees and shrubs can die or can be severely damaged in the very strong Southwesterly winds - as ours were last year. Also, the "poplar" trees along the private drive need to be "topped" very soon, as they are well past their age and safety height. Thus, this means much exposure of all the properties and particularly from Greenway lane. Trees can, unexpectedly, be cut down.

e On reading the Highways Report it would appear that it is proposed to erect a gate (set 5m back from Greenway lane) - Why so? Is a gated community eventually proposed?

I could not easily see any ^{relevance} to this fact in SF
Planning's letter. Such a move would totally destroy the idea.
Page 104

1. In conjunction with Ye, I would draw your attention to the fact that the Bin Collection for this Proposed Application would be down on Greenway lane itself. Please note that the Hallam Oaks Bin Collection point is officially by the CATTLE GRID. It is carried out by the Cheltenham Borough Council's "Assisted Waste Collection Service". I am not proposing to have this changed. The Council despatches one of its smaller collection vehicles - woe betide, if the large one comes. It does not go down well with [REDACTED], and rightly so, as the heavy truck causes much wear and tear.

2. Along with that concern: Construction vehicles are heavy, destructive creatures. On occasions over the years, as large, heavy lorries have tried to drive into the Oakfield House field, they have driven on to our CATTLE GRID damaging same. We can be blocked in and there would be little tolerance if this action should happen again. Also, the dust and noise from this Proposed building would blow in the southerly westerly winds funnelling across our grounds and property.

I know, as our grass, trees, etc, are pure white when the tree "flax" season is in full swing - and the flax is relatively harmless. What preventative protection would be put in place for this wear and tear?

3. The private lane itself: I can find nothing to quantify future plans in this Proposed Application. This is a SINGLE TRACK natural stone-based country lane - with a PUBLIC FOOTPATH running along it. At present, if any 2 vehicles are travelling on it, in opposite directions, one either has to reverse out to Greenway lane or one has to utilise the Greenacre Farm junction. Frequently, in recent times,

cars/trucks have parked outside the "Oakfield House Stables" gate, opposite our CATTLE GRID entrance, leading no room for passing vehicles (not dissimilar to the horse riders). Blocking AGAIN.

At the end of the lane, by the [REDACTED] wonky country stile, there is NO TURNING SPACE, due to the positioning and confined area and the ENTRANCE to Hallam Oaks should be legally kept clear AT ALL TIMES, particularly as no one knows when an EMERGENCY vehicle could be required. At the Greenway lane entrance to the private lane is a large oak tree that, in its majesty, blocks half the ^(private) lane.

2. As I understand it, there are 4 Access Rights entrances onto the Greenacres Farm private lane. The exact legality of these Rights (as to whether or not they allow for a further property, as opposed to pastoral use) will be contained in the Deeds relating to Greenacres Farm and Oakfield House. Hallam Oaks exercises 2 such Access Rights, Battledown Manor has one, Oakfield House has 1 and, obviously, Greenacres Farm gives a grand total of 5 entrances onto ONE SINGLE TRACK LANE. With a new property possible, sparking 4 more cars, there could be a total of 12 vehicles on this SINGLE TRACK LANE at any one time. Is this viable?

0. DRAINS - what provision is being made here? Are the applicants proposing to join in to the old Battledown Manor system - I believe some of it may pass under the Hallam Oaks drive.

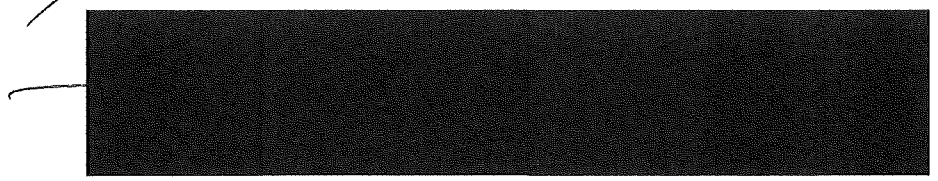
11. If this Planning Application is granted, then what is to prevent [REDACTED] (understandably) seeking the same "Glitter Ball" rights for his large barn and then for the bungalow, too? The area would end up with a row of "Glitter Balls". This would be total destruction of the Area of Outstanding Natural Beauty. There is already the Sovereign development of 5 millionaire priced houses

at the top of Hamp Hill and a further self build & hoises (I quote: "Isolated Commercial Units") to be erected on the mutilated land (and trees) at Cromwell Court. In the latter instance, the leverage of a "brown field site" came into play. Could this not be the same fate for this Application and all of Greenway Lane?

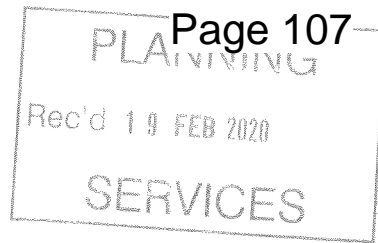
If so, then I, too, would have to consider following suit, though it would be totally against my desired principles. As it currently stands, I strongly wish to preserve the beauty and wildlife of this area, which abounds with many variety of birds, pheasants, deer, badgers, squirrels, foxes, sparrowhawks, buzzards and a variety of butterflies. This does not include, of course, the walkers, the dog-walkers, runners, joggers, either singly or in groups, who keep the Public Footpath in frequent use.

2. Therefore, I have to object to this Proposed Planning Application for all my reasons given above. I find the natural blending elements of 2 old farm barns far more attractive, in this area of Outstanding Natural Beauty setting, than the modernity of modern architecture.

Yours sincerely,



(BH)



Greenway Farm
Greenway Lane
Charlton Kings
GL52 6PN
19th February 2020

David Oakhill
Head of Planning
Cheltenham Borough Council
Cheltenham
GL50 1PP

PLANNING APPLICATION-20/00154/FUL-OAKFIELD HOUSE STABLES-GREENWAY LANE

Dear Sir,

We understand this is a revision of the original plan-19/01252/FUL submitted some eight months ago which was ultimately refused a permit in October 2019.

Despite the fact we occupy property some 40 metres distant from the original planned application and also farming land contiguous to the track leading to the site, we were not informed of the original application and therefore had no opportunity to comment. We now note that this site borders the public footpath running from the top of Battledown passing along the farm track leading to Greenacres Farm and Hallam Oaks, then crossing Greenway Lane into our farmland (which is a Registered Agricultural Holding) before reaching the Ham via the Cheltenham Circular Path, stretches of which also run through our farm.

Furthermore, this proposed contemporary style of residence, as planned, is very similar to that currently under consideration (19/02449/FUL) just 40 meters away across and adjacent to the same Public Right of Way, as described above.

Neither proposal falls within the Cheltenham PUA ^{but} the Cotswold AONB and such architectural developments if permitted would lead to adverse features within the local landscape and the visual change would not respect the residential amenity and that of existing neighbours. The revised scheme of Oakfield House Stables is not conducive to the amenity and aesthetic values of the surrounding area.

Our property, Greenway Farmhouse, is one of the two 19th Century properties (the other being Battledown Manor) in the immediate vicinity of these sites, both of Cotswold Stone and Cotswold architectural styling. Indeed our Farmhouse is on the 1886 O S MAP and is only meters away from these sites.

Those of us living in (or wishing to move into) the Cotswold AONB have an unwritten obligation to maintain it's character in every possible way. Those passing through Greenway Lane, particularly cyclists, horse riders and walkers using the lane, the adjacent PROW and the Cheltenham Circular Path would be impacted extremely negatively by these proposed speculative developments and as such, they would be better sited within the PUA.

It is interesting to note the comments submitted on this proposal from the John Mills Cotswold Conservation Board and the Campaign to Protect Rural England and we concur with their expressed conclusions and observations summarising the obvious negative impact.

Before concluding we wish to highlight and query a few specific aspects of this application:-

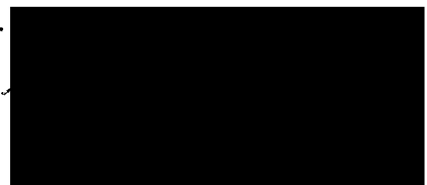
1. Having lived in Charlton Kings for 55 years and farmed in Greenway Lane for 43 years, we are aware that various applications on some of this land, previously part of Greenacres Farm, have come and gone without success but have no knowledge of a granting of change of use from agricultural to residential.
2. Such sites as this are sometimes claimed to be brownfield ie. previously developed. It appears the footprint of the sheds here constitute just 4 or 5% of the planned curtilage! DEVELOPED?
3. Contrary to the answers given to item 10 on the application form with regard to the presence of trees, we note that the revised LANDSCAPE PROPOSALS and BLOCK PLAN seem to show the removal of a mature oak adjacent to the PROW, to make way for the second access to the freehold land! This second entrance would presumably be unnecessary if the proposed property was to be kept in hand, with access being afforded from it's western boundary.
4. Sustainable Drainage and Sewer Connection. We have already commented on the apparent state of this sewer which passes through our farmland. (see item 4 in comments on 19/02449/FUL-Kyle Lodge- dated 12th February 2020)
5. In no way do we want to deter the desire and aspirations of anyone who wishes to build their own dream home or property, but we feel the architectural design must be appropriate to the location, particularly when permitted in the Cotswold AONB.

It has been brought to our notice that Oakfield House itself sits in a very large plot within the PUA with what appears to be a second dwelling, Oakfield Cottage within it's grounds. If there is a demonstrated need for a third dwelling, no doubt this plan could be accommodated within a slightly extended curtilage on the northern boundary of Oakfield House extending marginally into the freehold land but still within the PUA (see Fig.3 in Landscape Consultants Report with original application-19/01252/FUL-border PUA/AONB.)

So in conclusion we object to this plan for the many reasons stated above but should an alternative appropriate site be found for such a contemporary designed dwelling, preferably within the PUA, it could be supported.

The Planning Statement in this revised scheme concludes in note 7.2 that "the current site detracts from the value of the AONB". "the amenity and visual value of the site as it currently stands, both in it's local and wider context, is limited".

May we respectfully suggest that if these are dilapidated and redundant structures, their demolition and possible seeded replacement with say, meadow flower mixtures or a multi-use grass seed mixture, the AONB in this location would be considerably enhanced.



Greening Farm Land.

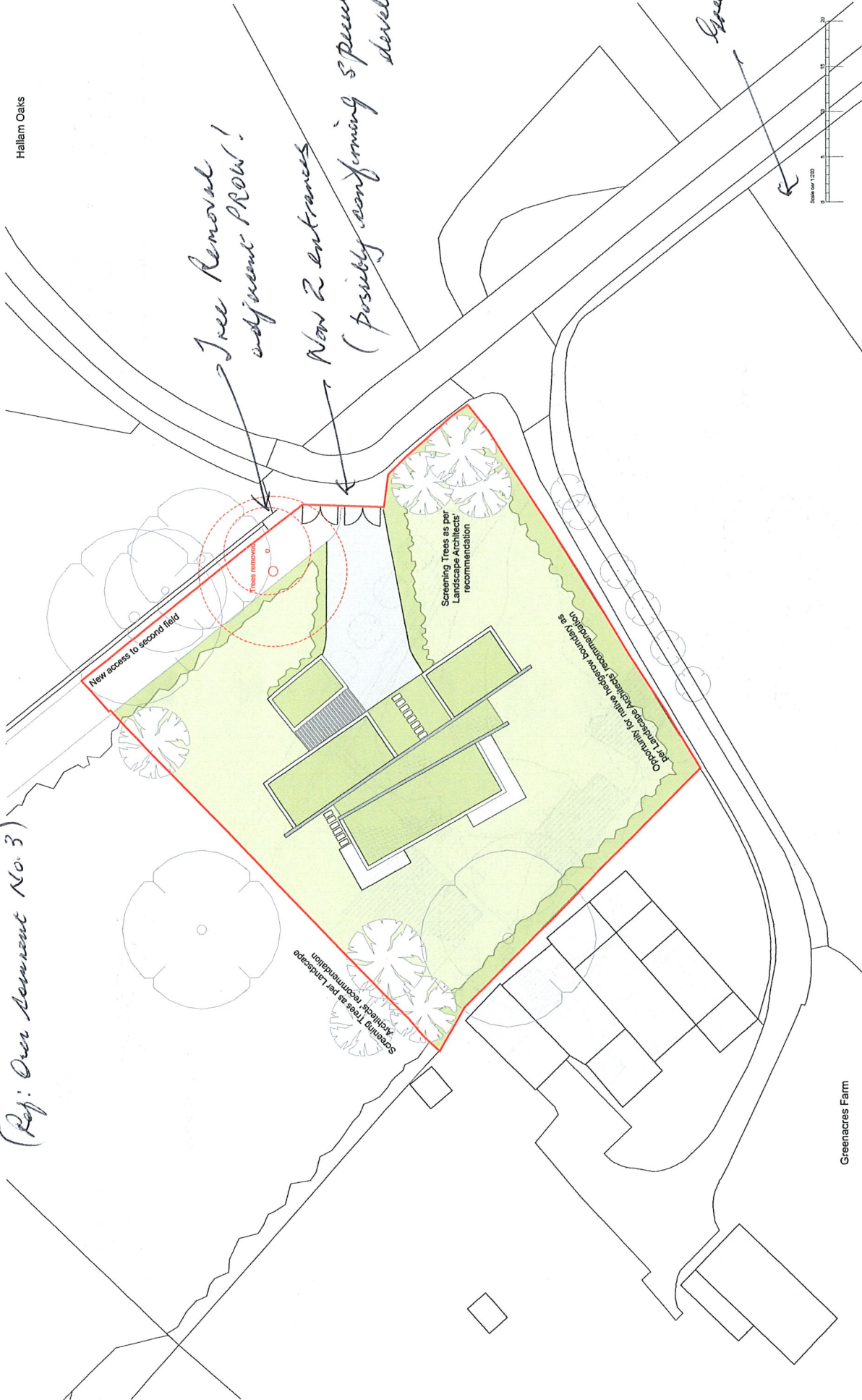
Hellam Oaks

Proposed Block Plan

(Ref: Our Comment No.3)

Tree Removal adjacent PROW!

New 2 entrances (possibly conforming speculative development.)

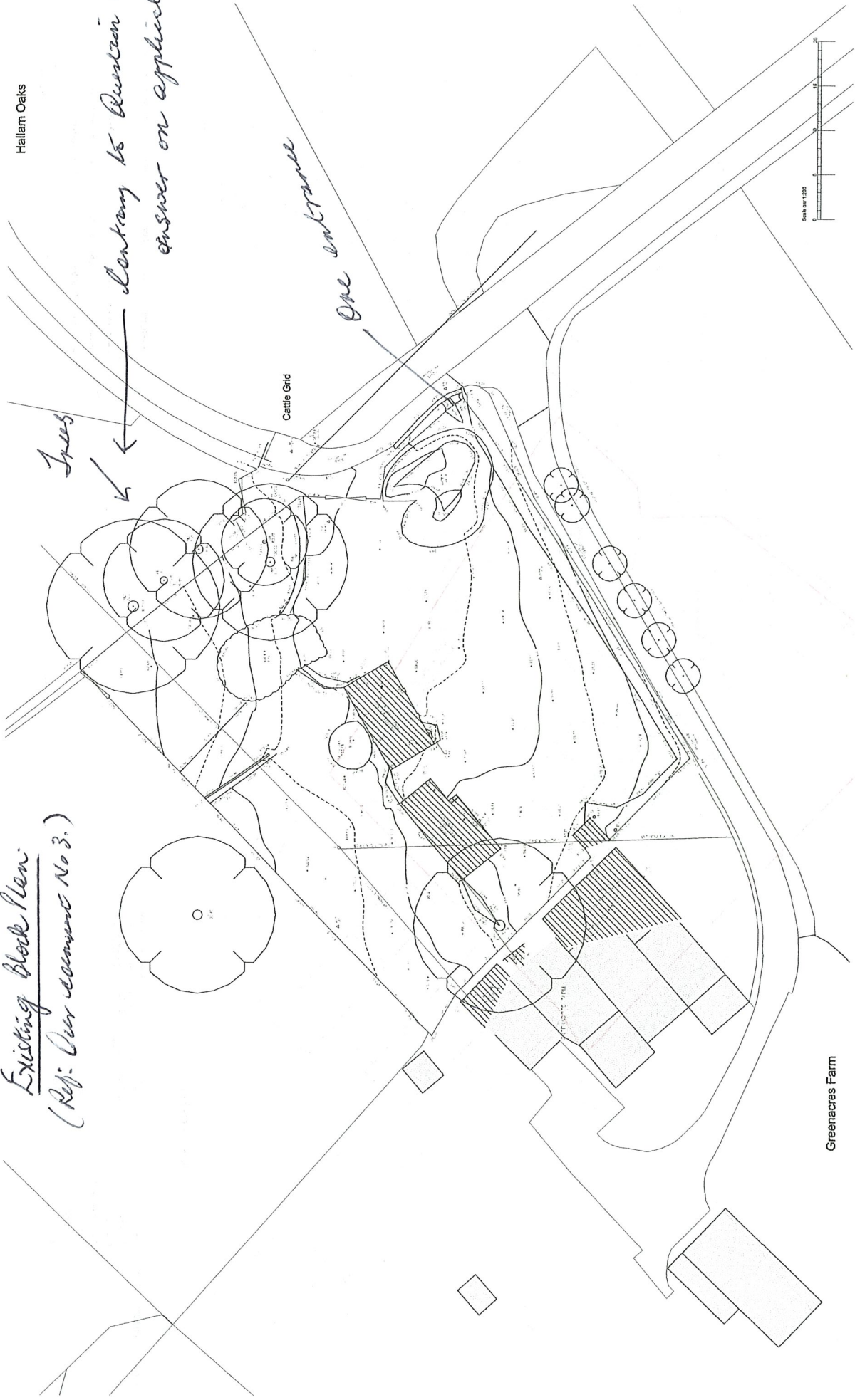


: eventtt architects limited hire 17 f: 0845 5575833 sheqtc.co.uk info.co.uk	<input type="checkbox"/> Preliminary <input type="checkbox"/> Feasibility <input type="checkbox"/> Planning <input type="checkbox"/> Building Regulations <input type="checkbox"/> Tender <input type="checkbox"/> Construction Issue <input type="checkbox"/> As Built	1. The drawings are prepared for the use of the contractor. eventtt architects limited and shall not be held responsible for any errors or omissions in the drawings or for any damage or loss of any kind. 2. The drawings are prepared for the use of the contractor. eventtt architects limited and shall not be held responsible for any errors or omissions in the drawings or for any damage or loss of any kind. 3. The drawings are prepared for the use of the contractor. eventtt architects limited and shall not be held responsible for any errors or omissions in the drawings or for any damage or loss of any kind. 4. The drawings are prepared for the use of the contractor. eventtt architects limited and shall not be held responsible for any errors or omissions in the drawings or for any damage or loss of any kind.	Drawing title: Proposed Block Plan Client: Mr & Mrs Marley Drawn by: JA Project No: 19.20.009	Project: Lane off Greenway Lane Scale: 1:200 @ A1 Date: December 2019 Project / Drawing No: PL004
	RIBA Chartered Practice 	N 	coombes - eventtt architects	

*Existing Block Plan
(Ref: Our comment No 3.)*

Hallam Oaks

**
Lantony to Quenton 10
answer on application form*



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RIBA
 Chartered Architect

Drawing title: Existing Block Plan
 Client: Mr & Mrs Morley
 Drawn by: GR
 Project No: 19.20.009

Project: Land off Greenway Lane
 Scale: 1:200 @ A1
 Date: December 2019
 Project / Drawing No: PL002

coombes + eventit architects

over---

gardens. This elongated built form is not traditional to the area and contrasts with the nearby property form.

An interesting turn of phrase is used on page 6 in the section on appearance. The building's styling is described as helping '... to emphasise the submissive nature of the design in relation to the landscape in which it sits,' It is arguable that the building design given the spread of the proposals would not appear as submissive but rather as a large residential property and a considerable increase in the scale of built form when compared to the previous stable buildings.

At Section 10 – Landscape and Biodiversity the DAS explains that a LVIA has been prepared and its recommendations have been incorporated in the proposals. It does not however explain how they have been incorporated or how they have influenced the design.

The middle paragraph of the short Section 12 – Conclusions states, 'We consider that this proposal is of an appropriate scale and mass, reflects a suitable aesthetic within this mixed residential area and fully respects the residential amenity of existing neighbours.'

It is the consideration that the proposals are appropriate for a 'mixed residential area' which seem to be at odds with the rural or as sometimes described semi-rural nature of the site.

Planning Statement

The Planning Statement has been prepared by the Applicant's Planning Agents SF Planning.

In Section 2.4 it describes the site as being 'on the boundaries of both the Principal Urban Area and the Cotswolds Area of Outstanding Natural Beauty (AONB) as detailed in Figure 3 below'

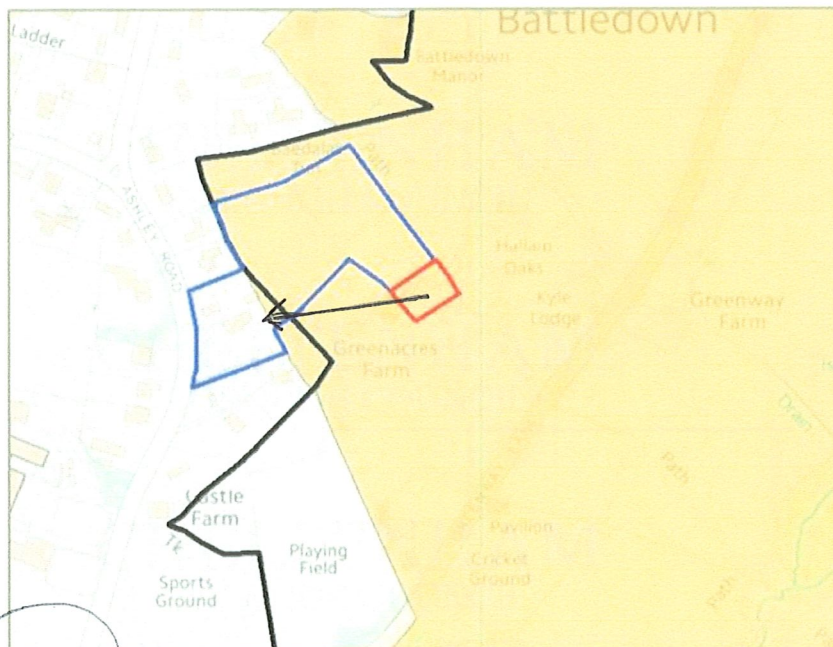


Fig 3 – Showing the property being situated on the border of both the PUA (black line) and the Cotswold AONB (shaded yellow). The site area is identified in red, the total extent of the land holding in blue.

Conclusion 7.1

Space for "significantly reduced dwelling" within PUA. If third dwelling required.

As can be clearly seen from the Planning Statement's Figure 3 the Site is not on the boundary but rather outside the Principle Urban Area (PUA) and entirely within the Cotswolds AONB.

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First paragraph of faint text, starting with a capital letter.

Second paragraph of faint text, continuing the narrative or report.

Third paragraph of faint text, providing further details.

Fourth paragraph of faint text, possibly a transition or conclusion.

Fifth paragraph of faint text, continuing the content.

Sixth paragraph of faint text, appearing as a separate section.

Seventh paragraph of faint text, possibly a final paragraph.

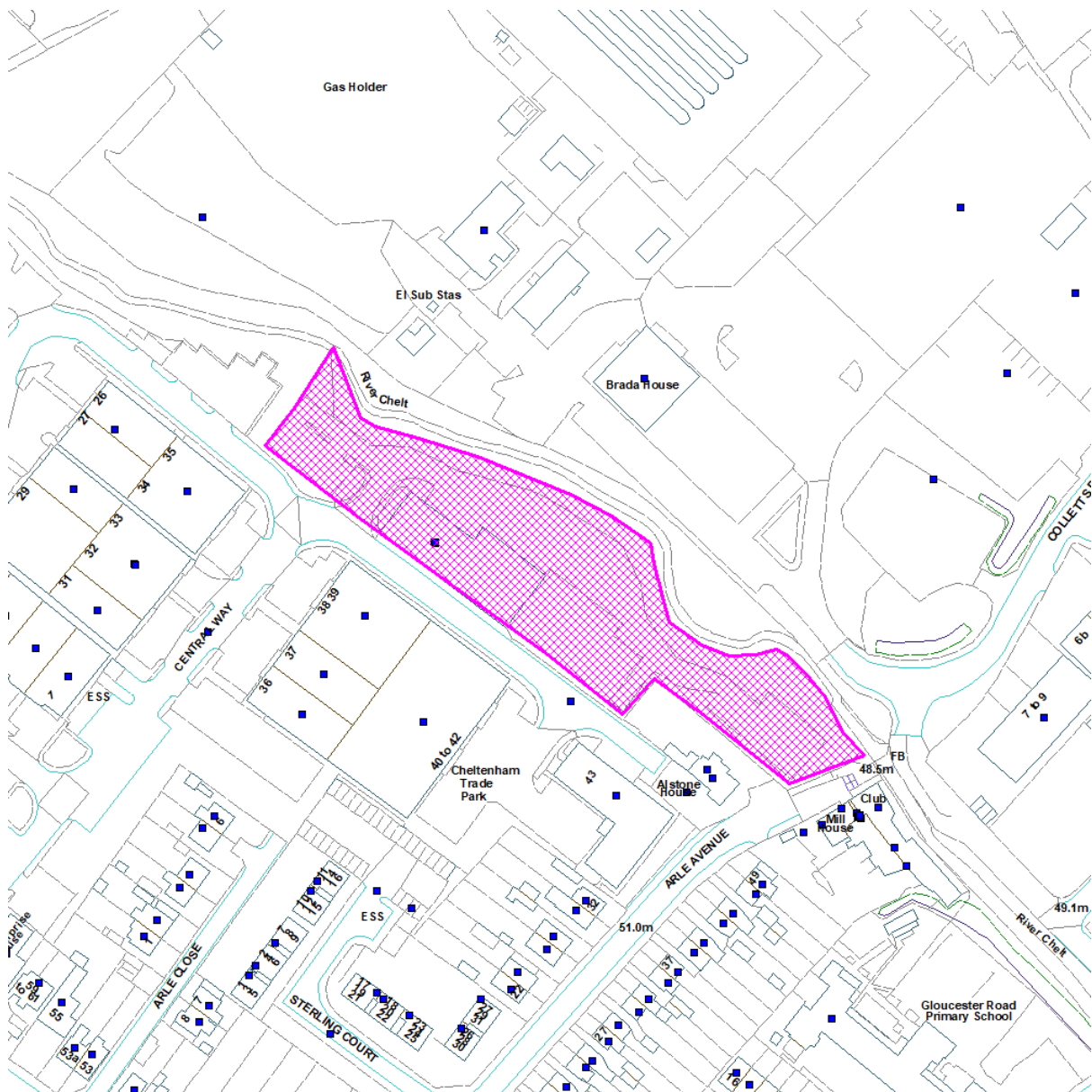


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APPLICATION NO: 20/00327/CONDIT	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 21st February 2020	DATE OF EXPIRY:
DATE VALIDATED: 21st February 2020	DATE OF SITE VISIT:
WARD: St Peters	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Cheltenham Borough Council
LOCATION:	Cheltenham Enterprise Centre, Central Way, Cheltenham
PROPOSAL:	Variation of condition 13 of planning permission 02/01616/FUL to allow units 5, 6 and 7 to operate 24 hours a day

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 comprises a group of 3 units with consent to operate within classes B2 (general industry) and B8 (storage or distribution).

1.2 Planning permission was granted for the erection of 8 employment units on this site in 2003 (02/01616/FUL). This permission was subject to the following condition (condition 13):

There shall be no deliveries to or distribution from the units outside the hours of 0730 and 1800 hours unless otherwise agreed in writing by the Local Planning Authority.

Reason: Any proposal to extend the hours of deliveries/distribution need to be considered individually to ensure that the amenities of the occupiers of nearby residential property are protected.

1.3 Planning permission is sought for the variation of this condition in order to allow a prospective tenant to carry out delivery and distribution activities 24 hours a day. It is understood that this is in connection with a company which rent out audio visual equipment for conferencing and live events.

1.4 The application is to be determined at planning committee as the Council is the applicant.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 6 Building a strong, competitive economy

Section 8 Promoting healthy and safe communities

Saved Local Plan Policies

CP 4 Safe and sustainable living

EM 2 Safeguarding of employment land

Adopted Joint Core Strategy Policies

SD1 Employment - Except Retail Development

SD14 Health and Environmental Quality

4. CONSULTATIONS

Detailed comments from Environmental Health are still awaited.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 The application was publicised by way of letters to 10 neighbouring properties. No responses have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) the principle, and (ii) impact on neighbouring properties.

6.2 The site and its context

The site is part of an existing industrial building within a wider industrial estate, accessed off Arle Road.

6.3 Principle

Section 6 of the NPPF states that planning decision should recognise and address the specific locational requirements of different sectors including making provision for clusters of high tech industries and for storage and distribution operations at a variety of scales and in accessible locations.

Policy SD1 of the JCS is generally supportive of employment related development particularly on allocated sites, as is policy EM2 of the adopted Local Plan. The emerging Cheltenham Plan sees the site allocated as a key existing employment site in policy EM1 and seeks to safeguard the site for employment purposes.

The proposal would retain the use of the units within the approved B2 and B8 uses of the site. The variation to the condition would facilitate the use of these units by an audio visual equipment company. The Local Planning Authority should be flexible where possible to allow the economy to grow and to provide suitable accommodation for businesses looking for premises within the Borough. Therefore subject to the proposal being satisfactory in all other regards, the principle is supported.

6.4 Impact on neighbouring property

Policies CP4 of the Local Plan and HD14 of the JCS seek to ensure that development does not cause harm to the amenity of local occupants.

The variation to the condition which is hereby sought would result in the unit being capable of being accessed for deliveries and distribution at any time and as such it is important to consider whether this would have any adverse impact on neighbouring amenity. The nearest residential property is the listed Alstone House to the east of the site. The layout of the site is such that vehicles accessing the site would not drive near to this property; however, the noise of any activity associated with loading and unloading needs to be considered. To this end the Environmental Health Officer has been consulted on this application. They have requested further information from the applicant, which has been supplied. Their final comments are awaited.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The use of the unit by the prospective tenant does not require planning permission, however the requirement to access the site for deliveries etc. does, due to a restrictive condition on the original consent. This is supported in principle, however neighbour amenity is crucial and the views of the Environmental Health Officer are important in this final judgement and as such this matter will be updated at committee.
- 7.2 The issuing of a decision on a variation of condition application has the effect of issuing a new planning permission and as such all relevant conditions from the original consent must be restated. An updated list of conditions is provided below.

8. CONDITIONS / INFORMATIVES

- 1 Only the areas shown on the approved plans as car parking spaces shall be used for car parking.
Reason: In the interests of highway safety and sustainability
- 2 The car parking area, driveway, turning areas and cycle parking shall be retained in accordance with the approved plans and available for use as car parking and turning.
Reason: To ensure adequate car parking and turning within the curtilage of the site, in the interests of highway safety.
- 3 The service and turning area to the eastern end of the site shall be kept free of obstructions at all times and shall be used for servicing and turning only.
Reason: To ensure adequate facilities for servicing and turning in the interests of highway safety.
- 4 The car parking area on the approved plan shall only be used in connection with the scheme hereby approved and shall be kept available for such use at all times in perpetuity.
Reason: To ensure that car parking continues to be available within the curtilage of the site and therefore that parking on the public highway is reduced, in the interests of highway safety.
- 5 No buildings, structures, any proposed landscaping or other permanent obstruction shall be located within a strip of land 8 metres wide adjacent to the top of bank of the River Chelt (as altered in accordance with the scheme of works agreed as part of the previous condition) unless otherwise agreed in writing by the Local Planning Authority. Ground levels shall not be altered unless agreed with the Environment Agency as part of the works to the River Chelt.
Reason: To maintain access to the watercourse for maintenance or improvements.
- 6 There shall be no deliveries to or distribution from the units outside the hours of 0730 and 1800 hours unless otherwise agreed in writing by the Local Planning Authority, apart from units 5, 6 and 7 which may carry out deliveries/distribution at any time.
Reason: Any proposal to extend the hours of deliveries/distribution need to be considered individually to ensure that the amenities of the occupiers of nearby residential property are protected.
- 7 Noise from the operations carried out in any building, or otherwise on any part of the subject land, shall achieve a noise rating level that does not exceed the existing

background noise level. The measurements and assessment shall be made in accordance with the provisions of BS4142: 1997.

Reason: In the interests of the amenities of the occupiers of neighbouring residential property.

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Appeals Lodged Feb/March 2020

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
Summerfield House 21 Royal Parade	Coping (roof) repairs.	Delegated	Written	May 2020	Planning ref: 19/01781/LBC Appeal ref: 20/00004/LISTB1

Appeals Determined

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Communications Kiosk OS 4 Pittville Street	Display of a single illuminated sequential display affixed to the frame of the communication hub.	Delegated	Fasttrack	Dismissed	18/02528/ADV Appeal Ref: 19/00016/ADV1
Communications Kiosk OS 8 Winchcombe Street	Display of a single illuminated sequential display affixed to the frame of the communication hub.	Delegated	Fastrack	Dismissed	18/02530/ADV Appeal Ref: 19/00017/ADV1
Communications Kiosk OS 33-41 Promenade	Display of a single illuminated sequential display affixed to the frame of the communication hub.	Delegated	Fasttrack	Dismissed	18/02535/ADV Appeal ref: 19/00021/ADV1
Communications Kiosk OS 56 Promenade	Display of a single illuminated sequential display affixed to the frame of the communication hub.	Delegated	Fasttrack	Dismissed	18/02534/ADV Appeal ref: 19/00020/ADV1

Communications Kiosk OS 100 Promenade	Display of a single illuminated sequential display affixed to the frame of the communication hub.	Delegated	Fasttrack	Dismissed	18/02533/ADV Appeal ref: 19/00019/ADV1
Communications Kiosk OS Quadrangle Promenade	Display of a single illuminated sequential display affixed to the frame of the communication hub.	Delegated	Fasttrack	Dismissed	18/02532/ADV Appeal ref: 19/00018/ADV1

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