



# CHEL TENHAM

BOROUGH COUNCIL

## Notice of a meeting of Planning Committee

Thursday, 17 December 2020  
2.00 pm

Virtual WEBEX video conference via YouTube -  
<https://www.youtube.com/user/cheltenhamborough>

| Membership          |   |
|---------------------|---|
| <b>Councillors:</b> | Garth Barnes (Chair), Paul Baker (Vice-Chair), Dilys Barrell, Mike Collins, Stephen Cooke, Bernard Fisher, Paul McCloskey, Tony Oliver, John Payne, Diggory Seacome and Simon Wheeler |

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. **MINUTES OF LAST MEETING** (Pages 7 - 14)  
Minutes of the meeting held on 19<sup>th</sup> November 2020.
5. **PLANNING/LISTED BUILDING/CONSERVATION AREA CONSENT/ADVERTISEMENT APPLICATIONS, APPLICATIONS FOR LAWFUL DEVELOPMENT CERTIFICATE AND TREE RELATED APPLICATIONS –**

**SEE MAIN SCHEDULE**

- a) **20/01371/FUL Balcarras School, East End Road,  
Charlton Kings, Cheltenham GL53 8QF** (Pages 15 - 44)  
[Planning application documents](#)
  - b) **20/01031/FUL Crooks Industrial Estate,  
Cheltenham GL53 0ED** (Pages 45 - 66)  
[Planning application documents](#)
  - c) **20/01907/FUL 4 Hartley Close Cheltenham GL53  
9DN** (Pages 67 - 78)  
[Planning Application Documents](#)
  - d) **20/01946/FUL 24 Charlton Close, Cheltenham  
GL53 8DJ** (Pages 79 - 88)  
[Planning Application documents](#)
  - e) **20/01944/FUL 5 Glynrosa Road, Cheltenham GL53  
8QR** (Pages 89 - 98)  
[Planning application documents](#)
  - f) **20/01509/LBC 105 Winchcombe Street,  
Cheltenham, GL52 2NL** (Pages 99 - 104)  
[Planning application documents](#)
  - g) **20/01702/LBC Pittville Pump Rooms, Cheltenham  
GL52 3JE** (Pages 105 - 110)  
[Planning application documents](#)
- 6. APPEAL UPDATES** (Pages 111 - 112)
- 7. ANY OTHER ITEMS THE CHAIRMAN DETERMINES  
URGENT AND REQUIRES A DECISION**

**Contact Officer:** Democratic Services,  
**Email:** [democraticservices@cheltenham.gov.uk](mailto:democraticservices@cheltenham.gov.uk)

**Planning Committee****Thursday, 19th November, 2020****2pm**

| <b>Attendees</b>               |  |
|--------------------------------|--|
| <b>Councillors:</b>            | Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Dilys Barrell, Councillor Mike Collins, Councillor Stephen Cooke, Councillor Bernard Fisher, Councillor Paul McCloskey, Councillor Tony Oliver, Councillor John Payne, Councillor Diggory Seacome and Councillor Simon Wheeler |
| <b>Officers in Attendance:</b> | Mike Holmes (Interim Head of Planning), Michelle Payne (Senior Planning Officer) Craig Hemphill (Senior Planning Officer) Ben Warren (Planning Officer)  |

**1. Apologies**

There were no apologies.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Declarations of independent site visits**

Councillor Baked visited Southfield Rise from the front only.

Councillor McCloskey visited the outside of Southfield Rise, Bournside Road and Lotty Lodge.

Councillor Oliver visited the outside of Southfield Rise and Lotty Lodge.

Councillor Cooke visited the outside of Southfield Rise, Lotty Lodge and Bournside Road.

Councillor Payne visited the outside of Southfield Rise, Lotty Lodge and the High Street end of St Marys Mission.

Councillor Barrell visited the outside of Southfield Rise and Bournside Road.

Councillor Seacome stated that whereas he hadn't made any specific site visits he was aware of the properties involved.

**4. Minutes of last meeting**

The minutes of the meeting held on the 17<sup>th</sup> of September were signed as approved as a true record of the meeting. There were 2 abstentions to the vote due to Members not being present at the last meeting.

**5. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications – see Main Schedule****6. 20/01599/FUL 20 Southfield Rise, Cheltenham, Glos**

The Planning Officer presented the report as published in the agenda.

The objector was then given the opportunity to speak as follows:

- Spoke against the application in July.
- The revised plans have not addressed the loss of amenity for the neighbour with regard to the south facing window.
- The fails the BRE by at least 10 degrees
- There will be a loss of light to the south facing window.

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The speaker on behalf of the applicant in support of the application was given the opportunity to speak as follows:

- The extensions height width and depth have been reduced and the
- Principal concern is the impact on the neighbour which the revised plan addresses.
- BRE should not be used as can be interpreted flexibly.
- The proposal will not effect the light levels of the objector as it is an L shaped room served by windows and patio door,
- Revised design is further away from the boundary.
- Emphasised that there has now been a site visit and that the officers are recommending that the permission is granted.

The matter then went to Member questions:

- With regard to light test – as a result of the proposal the south facing window will now fail the BRE light test. How much does it fail the test by? And how significant does the Officer think that it is. The Officers response was that the south facing windows fail the light test. There are 3 light sources 2 are not affected and the south facing window fails.
- Clarification sought that if there is a failure of the light test is it a reason that the application can be refused.
- How far is it from the south facing window in the neighbour's house to the upstairs extension?

The officer then gave the following response

- The BRE light assessment is not part of the policy but is referred to as guidance in the adopted Cheltenham Plan Policy as SL1.
- 5.4 meters between the window and the first floor extension.

The matter then went to Member debate:

- Congratulations to the architect and the applicant for the modifications that have been made, this is a very tight location and will have an impact on the neighbouring property. Applicant has gone some way to addressing the problems.
- Acknowledged the measures that have been taken to change the application, without being able to see the back of the house difficult to make a decision on this.
- Concern was voiced about the light test and should not make the application subjective. The light will be effected for the south west window. Not happy that the light test could be used either to grant or refuse.
- This is an application that is far more difficult this time as the applicant has done well to reduce the impact of what is proposed. Applicant has gone as far as they can to deal with the neighbours problems.
- Lack of site visit is making this application harder. The south west window will possibly be the primary illumination during the winter months. With or without a light test there will be an impact on the window.
- Feels that this is a difficult application. Interested to hear what the other Members have to say.
- Applauds the architect for making the alteration, however concerns about the light test as not possible to quantify how much it fails by. Light test more significant due to the direction that the property faces.

The Chair asked the Head of Planning for some advice. He stated that it can't be a definitive figure on failing the light test. Basis of planning in this country is that we should approve things wishing to be built.

The Chair asked the planning officer for any further comments to which he explained about the light levels and how they would be effected by the extension.

The Chair then went to the vote to permit:

For:6

Against:4

Abstain: 1

GRANTED

### **7. 20/01344/FUL 46 Bournside Road, Cheltenham, Gloucestershire**

The Planning Officer introduced the report as per the agenda with photographs.

There was only one speaker who spoke in objection Ward Councillor Tim Harman.

The following points were made:

- Neighbours to the property have also logged an objection.
- He confirmed that he visited the neighbouring property to see what impact the structure had on the neighbours.
- Design has a negative impact on the community as the area is overlooked by both the brook and Hatherley Park.
- Although some modifications have been made the neighbouring property still feels that the platform will impact on their garden and their internal rooms.
- Although the structure is novel it is felt that the structure is not in keeping with the area.

The matter then went to Member questions:

- One Member visited the property from the outside could see thru the window straight into the garden and couldn't really see the structure. From the photographs it would appear that the decking would prove to cause a loss of privacy for the neighbours.
- It was felt that the structure is acceptable, the sails don't require planning permission.
- Questioned what was novel about the structure.
- There was a question raised why permission was needed at all is it either the height or the roof.
- What is the length of the back garden?
- How much higher than the permitted norm is the structure.

The responses were as follows:

- The property needs planning permission as the limit for the platform is 300mm and the platform is 600mm.
- The photographs don't show it in all its glory, there is an existing building which didn't need planning permission.
- Not sure that the platform is visible thru the window.
- Privacy should not be an issue.
- The length of the garden (rear elevation to structure) is 18.5 meters.

The matter then went to Member debate:

- As the structure is not blocking any water do not see it as a problem.
- Quite a nice proposition
- Trying to make the garden fun for children can only be a good thing.
- More than enough distance from the house and promotes playing outside.

- The neighbour obviously feels strongly and it does seem quite a high structure and without a site visit it is difficult to make a fair judgement.

The matter then went to the vote:

For: 9

Against: 1

Abstain: 1

Permission was GRANTED.

### **8. 20/01311/FUL Lotty Lodge, 33 Wellesley Road, Cheltenham**

The Senior Planning Officer presented the report as published.

There were 2 objectors present.

The first objector is a local resident Catherine Barnes spoke in objection and made the following points:

- It is possible that at certain times there can be 11 dogs in the vicinity.
- The dryers are loud and can be heard along with the staff talking louder over the dryers to be heard.
- The nature and enjoyment of homes and gardens is being affected due to the intrusive noise and additional vehicle use.
- Impacted how she works from home and her leisure time and as a key worker it has given her an increasing feeling of unfairness.

The Ward Councillor Karl Hobley spoke on behalf of the residents and raised the following points regarding the application:

- There is an impact on the route that is used for parents and children walking to and from school as there is increased traffic due to people visiting the property.
- There is a disturbance to neighbours due to the use of dryers, vehicles and dog noise.
- This is a small tight street that was a mews lane with small low rise houses and residents are concerned that 1 business will leave the door open for other businesses to open in the area.
- There are obviously concerns regarding putting the business at risk, however the belief is that it should be fairly easy for them to locate particularly in the current climate.

The matter then went to Member questions as follows:

- The residents believe that the road is an issue. However the Highways department made no formal objection. Why is there no highways officer present?
- There has been one complaint to the Authority regarding noise. However the complainant did not pursue it, have there been any further complaints about the noise. There is also a query regarding refuse and waste disposal.
- When one Member visited the property the door was open, was this to comply with Covid regulations or is this normal practice.

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- One complainer used 70 decibels as the level of noise, is this acceptable for a residential area?
- There is a restriction on time that the business operates rather, could there be one on the amount of dogs.
- Does the planning permission just apply to the downstairs of the property or will it apply to the upstairs which is currently residential.

The Senior Planning Officer answered as follows:

- The lack of a highways officer is due to availability.
- They have no other information from highways, there are no minimum parking standards to adhere to at the moment. The level of impact of the vehicles is considered as low.
- There have been no other noise complaints and the commercial waste arrangements are not known.
- Not aware if the door being open is a Covid allowance or normal.
- 70 decibels that were mentioned is generally the level of noise that you expect in an office.
- The limit on the amount of dogs allowed at any one time is 4. It would be hard to enforce a formal limitation.
- With regards to the upper floor there will have to be further planning permission applied for which would result in losing a residential property.

The matter then went to Member debate:

- We are short of residential properties in Cheltenham. However we do have empty commercial premises that would be suitable rather than a relatively new build home. The level of noise will disrupt the neighbours wishing to enjoy their outside space.
- Congratulations to both of the objectors on their presentations. Personally wouldn't like noise if lived in the road. Sad for the business however owners will follow them as they have a loyal following. Can we give a period to find alternative accommodation?
- Does not wish to support something that could prevent children walking to school, impact to the neighbours is not a good thing. Understand that can't use highways as a reason to refuse.
- On google maps there is a large car in the road but it does show room to pass therefore traffic is not a reason not to support however there are other things to consider.
- When one Member visited he was pleased to see the mix of architecture in the road with some modern houses. The grooming parlour is in what was probably a very expensive house. Concerned that there are 4 groomers in the parlour at one time and therefore 4 does seem a large amount to have in at any one time. This is a very heavily populated area and doesn't think that it is suitable for a grooming parlour. Therefore won't support the application.
- The business is in a mews house, and when visited it was very busy. This is a business in a residential property, the front door was open and there was drier noise that wasn't very loud but if you were a neighbour you would find it be very annoying. Business has a huge amount of support – clearly a very good business but not in a residential home. Should revert to housing, parlour will be a problem all year round with the doors open.
- The impact on the neighbours thru noise is a good reason not to have the business where it is. The applicant will have 6 months to appeal and therefore will have 6 months to find alternative accommodation whilst still running the business.

The senior planning officer responded that if Members to refuse the business would have time to appeal whilst still trading. She advised that the refusal should be on amenity grounds

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rather than highways grounds. The principal planning officer confirmed that refusal would have to be on amenity grounds based on the impact on the neighbourhood.

The matter then went to the vote to permit:

For:

Against: 11

Abstain:

REFUSED

Chair then stated that committee has to decide on what grounds they were refusing.

- One Councillor suggested HM3 SL1 and SD14
- Another Member stated that HM3 was not suitable but SL1 and SD14 were the only options as loss of amenity.
- Amenity was supported as a reason to refuse by another Member.

The Chair asked if the Member wanted to keep HN3 in as an option to the vote, he confirmed that he did.

Clarification was then received by the Senior Planning Officer confirmed that HM3 was not suitable.

The matter then went to the vote to agree the reason for refusal. The first vote was to agree HM13:

For: 1

Against: 10

Abstain:

Not agreed

The second vote was to agree SL1:

For: 11

Against:

Abstain:

Agreed

The third vote was to agree SD14:

For: 11

Against:

Abstain:

Agreed

As HM13 was refused the matter then went to the vote to agree the reasons for refusal as SL1 and SD14:

For: 11

Against:



Abatain:

CARRIED

**9. 20/01010/FUL & LBC St Marys Mission, High Street, Cheltenham**

The Planning officer presented the report.

There was one speaker on the application – Ward Councillor Dr David Willingham who spoke in support of the application. He made the following points:

- The park is a hidden Cheltenham gem that has an active friends group that deliver something wonderful.
- He wished to record his thanks to the volunteers and the parks officers for all the work that they have done.
- Protecting listed properties is very important.
- The current black railings can give the misconception that it is not the entrance to the park but can be mistaken for something else.

The matter then went to Member questions of which there were none.

The matter then went to Member debate where the following points were raised:

- There were gold tips on the gates and this was incorrect as gold should only be used if royalty is involved. The gates should be all green.
- It's a good thing to go back to corporate green and it's important to get conservation right.

There were 2 votes, the first one for full permission:

For: 10

Against:

Abstain: 1

GRANTED

Listed building consent:

For: 10

Against:

Abstain: 1

GRANTED

**10. Appeal Updates**

There were no updates to discuss.

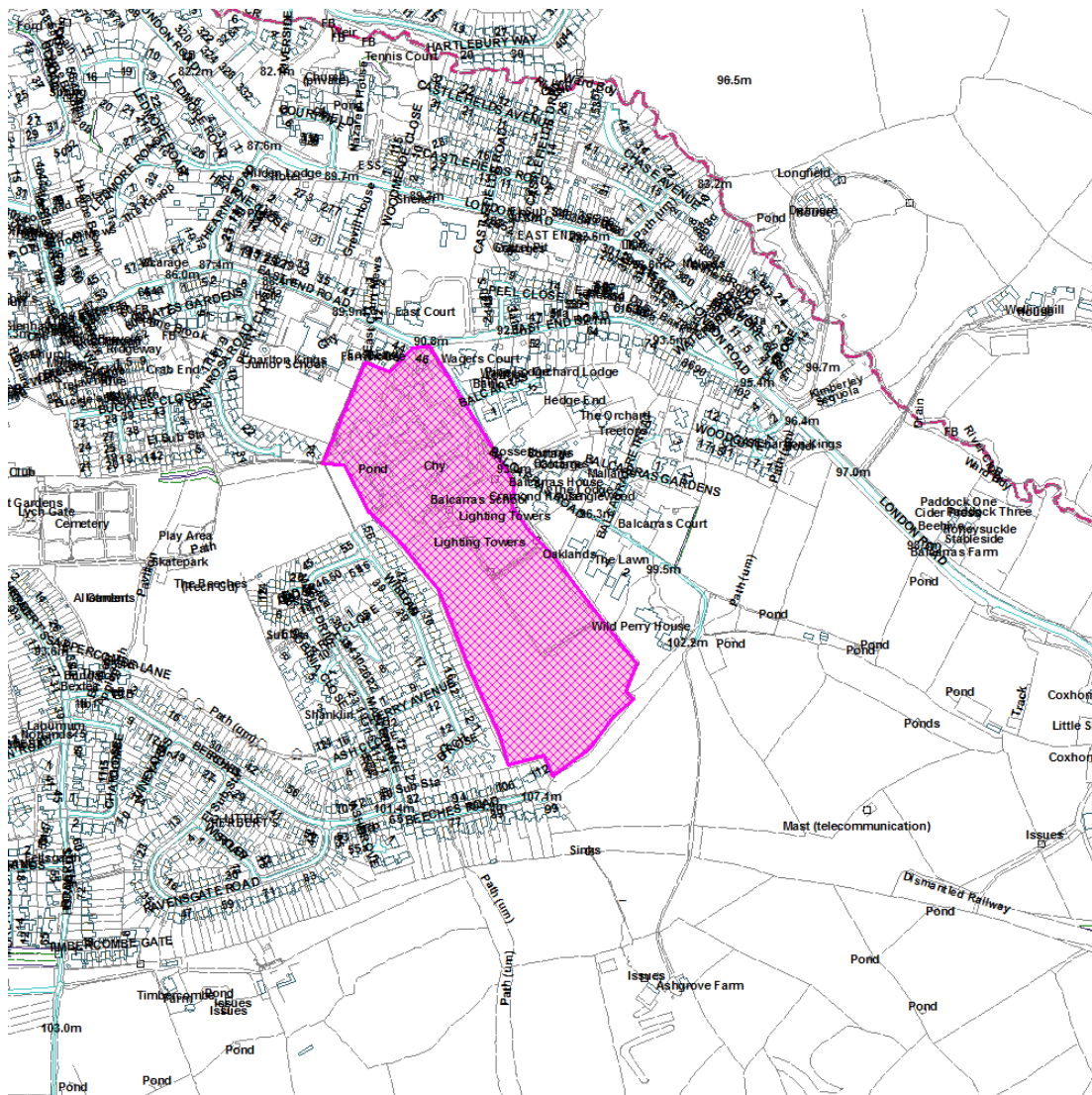
**11. Any other items the Chairman determines urgent and requires a decision**

There were none.



|  |  |
|--|--|
| <b>APPLICATION NO:</b> 20/01370/FUL      | <b>OFFICER:</b> Michelle Payne   |
| <b>DATE REGISTERED:</b> 18th August 2020 | <b>DATE OF EXPIRY:</b> 17th November 2020<br>(extension of time agreed until 21st December 2020)   |
| <b>DATE VALIDATED:</b> 18th August 2020  | <b>DATE OF SITE VISIT:</b>   |
| <b>WARD:</b> Charlton Kings              | <b>PARISH:</b> Charlton Kings  |
| <b>APPLICANT:</b>                        | Balcarras Academy Trust  |
| <b>AGENT:</b>                            | Evans Jones Ltd  |
| <b>LOCATION:</b>                         | Balcarras School, East End Road, Charlton Kings  |
| <b>PROPOSAL:</b>                         | Construction of new modular building to accommodate up to 120 year seven pupils from September 2021 - Summer 2022 following which the proposed building is to be repurposed for educational use by Balcarras Academy Trust |

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Balcarras School is located on the southern side of East End Road, within Charlton Kings parish. The school site as a whole extends some 8.63 hectares, with the school buildings located on the northern part of the site, and the playing field and all-weather playing pitches located to the south.
- 1.2 Much of the site is bounded by residential properties; however, to the south-east, the site adjoins open countryside, and a public playing field adjoins part of the south-western boundary. Charlton Kings Junior School is located immediately west of Balcarras School on East End Road.
- 1.3 The application is seeking planning permission for the construction of a new two storey modular building. Initially, from September 2021 to summer 2022, the building will be used to temporarily accommodate up to 120 year 7 pupils who would then move to the new High School in Leckhampton (HSL), which is scheduled to open September 2022. A dedicated bus service to and from the HSL catchment area is proposed for the duration of the occupation of the building by HSL pupils.
- 1.4 Once the HSL pupils have relocated to the new high school, the building is intended to be repurposed as teaching space for the Balcarras Business Studies Department; however, the Planning Statement which accompanies the application sets out that the school do not intend to increase the capacity of the school, which is currently capped at 1341 pupils.
- 1.5 The Planning Statement also addresses the decision to seek permission for a permanent building which can be repurposed rather than a temporary building.
- 1.6 The application is before the planning committee at the request of Cllr McCloskey due to the level of public interest, particularly in relation to transport issues.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport safeguarding over 10m  
Airport Safeguarding over 45m  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

There is an extensive planning history on the site but none of any particular relevance to this application.

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework (NPPF)**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 8 Promoting healthy and safe communities  
Section 9 Promoting sustainable transport  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places  
Section 15 Conserving and enhancing the natural environment

**Adopted Cheltenham Plan (CP) Policies**

D1 Design  
SL1 Safe and Sustainable Living  
GI2 Protection and replacement of trees  
GI3 Trees and Development

**Adopted Joint Core Strategy (JCS) Policies**

SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD9 Biodiversity and Geodiversity  
SD14 Health and Environmental Quality  
INF1 Transport Network

**4. CONSULTATION RESPONSES**

**GCC Highways Development Management**

*13th November 2020*

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has no objection subject to conditions.

The proposed encompasses the erection of a permanent modular building to temporarily accommodate the first years intake, year 7 (120 pupils), for the new High School Leckhampton (HSL), at Balcarras School (BS).

**Impact**

We believe that the forecast modal split percentage figure by car mode as shown in the 'Table 7.1: Forecast Multi-modal Trip Attraction' (for the 120 Year 7 pupils who are to be temporarily accommodated at the existing Balcarras School site during the 2021/22 academic year) of the Transport Statement (TS) is not sufficiently robust for this, albeit short-term, temporary traffic scenario.

The reason is that these modal split percentage figures have been extracted directly from Table 6.1 of the Cotswold Transport Planning Ltd TA, dated July 2019, submitted in support of the planning application for the new Secondary School at Leckhampton (19/0058/CHR3MJ, which was granted planning permission by GCC Planning Committee on 21st July 2020), which relate to the development of the new 900 pupil capacity school specifically at the site located adjacent Farm Lane, Leckhampton, based on a predicted pupil travel-to-school trip distribution derived from an agreed pupil home address postcode database provided by GCC's Education Department.

Explanation of how the modal split percentages shown in Table 6.1 were derived is provided in the TA Appendix V – 'Multi-Modal Baseline Travel Data' Transport Technical Note 02A supporting document, which states that in order to establish pupil travel modal splits....."DfT NTS modal split data for secondary schools and pupil postcode data, provided by GCC Education Department, as used in Technical Note 1B, have been interrogated to understand potential travel patterns for the proposed new Secondary School in Cheltenham."

Within the 02A TN, Table 1 summarises the National Travel Survey (NTS) pupil mode share percentage of trips to/from Secondary schools, based on distance travelled. From Tables 2 & 3 of the 02A TN, applying a 'proportional analysis' based on 2,186 available

postcodes for potential pupils (supplied by GCC Education) indicated that 22.1% of the potential pupils who would attend the new Secondary school at Leckhampton would likely live within 1 mile radius, with a further 66.6% living between 1 to 2 miles from the site, giving a combined total of 88.7% living within a range of 2 miles. Then, applying the NTS pupil mode share percentage of trips based on distance travelled (shown in Table 1) to the Table 3 locally estimated number of pupils (based on pupil trip length –factored by proportional analysis of postcode data), and allowing for ‘car sharing’ estimates, results in the ‘Forecast Multi-modal Trip Attraction’ as shown in Table 7.

However, from analysis of Table 1 showing the NTS pupil mode share percentage of trips to/from Secondary schools based on distance travelled, this clearly shows that the further the distance a pupil’s home postcode is from a school, the greater the likelihood of them travelling to/from that school by car e.g. if a pupil’s postcode is between 0-1 mile from school then there is only a 6% likelihood of that pupil choosing to travel by car, whereas if they reside between 1-2 miles away from the school that percentage figure increases on average to 23%, and then to 37% if they live between 2 and 5 miles away. Referring also to the NTS ‘2014 Travel to School’ information sheet, the ‘Travel to School by distance’ chart shown at the bottom of page 4 shows that for Secondary schools in England, on average 23% of pupils live within 1 mile, with a further 26% living between 1 to 2 miles from school, giving a combined total of 49% living within a range of 2 miles. This is in contrast to the figure of 88.7% of pupils predicted to live within a 2 mile radius, as agreed for the new school site located at Leckhampton, based on analysis of local pupil postcode information - as explained in the above paragraph.

Given that during the 2021/22 academic year the 120 Year 7 pupils are to be temporarily accommodated at the more distant existing Balcarras School site, which is located approximately 3 kms east of the new school site, and from reviewing the potential pupil catchment for the new school in relation to the IHT desirable, acceptable and preferred maximum walking distances for Schools, and also based on the review analysis provided above, we would recommend that a higher predicted car mode share of pupil trips to/from this temporary school location needs to be assumed.

For assessment purposes, it is recommended that it could realistically be assumed that none of the prospective ‘relocating’ Year 7 pupils will live within 1 mile of the existing Balcarras school, and that *adjusted* NTS ‘Travel to School by distance’ travel statistics for Secondary schools in England would be more appropriate for use. The adjusted NTS percentage figures would therefore be as follows:

- 0% of pupils living within 1 mile of the school,
- 49% living between 1 to 2 miles from school (23% + 26% combined, from the page 4 Chart in the NTS ‘2014 Travel to School’ information sheet),
- 29% living 2 to under 5 miles away, and
- 22% living 5 miles and over.

Applying the NTS pupil ‘mode share percentage’ of trips based on distance travelled (as set out in Table 1 of the 02A TN) to these estimated percentages of pupil numbers by distance from school, would result in the following revised forecast trip attraction by car mode:

- 120 Year 7 Pupils x 49% = 59 Pupils living between 1 and 2 miles from school x 23% by Car Mode = 14 car trips.
- 120 Year 7 Pupils x 29% = 35 Pupils living between 2 and less than 5 miles from school x 37% by Car Mode = 13 car trips, and
- 120 Year 7 Pupils x 22% = 26 Pupils living 5 miles and over from school x 25% by Car = 7 car trips.
- Total Estimated Forecast Pupil Trips by Car Mode = 34 car trips (equivalent to 28.3% of the total pupil trips).

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Allowing for potential 'car sharing' based on similar assumptions as set out in the 02A TN (i.e. 52.3% of pupils travelling as single occupant, and 47.7% as car sharing with a single other pupil)

=> Car (Single Occupancy) = 18 pupils (15% of total trips); and Car (Car Share)  
= 16 pupils (13.3% of total trips).

Obviously, the introduction of two bespoke school bus services to transport these 'temporarily relocating' 120 Year 7 pupils will be crucial in reducing the potential additional car trips to the existing Balcarras school site. Although currently details of how the routes for the two temporary school bus services are limited, we understand that the temporary school bus services will be decided by GCC when the new pupil home postcode addresses are known with the proposed routes utilising existing public transport corridors.

The transport consultant acknowledges that the original figures contained within the TS were not sufficiently robust, however based on our revised analysis of the proposed forecast vehicle trips above being robust it can be concluded that the potential temporary increase in vehicles travelling to BS would not severely impact the local highway network during both the AM and PM peak periods associated with BS.

### Accessibility

The Walking, Cycling and Horse-riding Assessment and Review (WCHAR) conclusions are accepted considering the scale and nature of the proposed temporary development. However should this be more than a temporary measure mitigation would be required.

### Travel Plan

Overall we are satisfied with School Travel Plan (STP) provided and are confident that the school will work closely with the GCC Thinktravel team to reach the objectives set and to gain a 'Gold' accredited Modeshift Stars School Travel Plan award.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

### Conditions

POC10 Travel Plan – Submitted

## **Tree Officer**

*15th September 2020*

The Trees Section does not object to this application. Please could a Tree Protection Plan and a Method Statement be submitted.

*3rd November 2020*

The Barton Hyett Tree Protection Plan and Method Statement (drawing no BHA\_775\_02A TP.1.0) is sufficient and appropriate to protect and work around existing trees on site.

## **Environmental Health**

*15th September 2020*

I have reviewed the application and documents relating to the above proposal and have no objection to this development in principal, however there is potential for noise and vibration to affect nearby properties which may require measures to control the impact of these activities.

I would therefore request the following:

**Augured pile foundations:** A full pile method statement to be submitted and approved in writing by the Local Planning Authority. The method statement must assess and include full details of the noise and vibration impact from the piling operations on the nearest residential property, dates and times of piling and details of monitoring measures.

**Proposed plant equipment including classroom ventilation and air source condenser units:** A noise assessment is carried out in order to determine the levels of noise affecting nearby residential property. The results of this assessment should then be used to produce a scheme of mitigation to control noise affecting these premises.

These may be added as conditions attached to consent, should the application be approved.

### **GCC Local Flood Authority (LLFA)**

*11th September 2020*

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

The LLFA has no objection to the proposal.

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

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

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

### **Cheltenham Civic Society**

*28th September 2020*

#### **SUPPORT**

The Civic Society Planning Forum supports this application but with some caveats. There is a large tree which has been included in the arboricultural survey, but omitted from all the visualisations, despite being very close to the corner of the building. It seems inevitable that the rootzone of this tree will be affected. If the building itself cannot be re-located slightly further from the tree, can a replacement tree be planted elsewhere on the site? We are concerned that the disabled access is separate from the main entrance, and tucked at the rear of the building. Ideally disabled access would be integrated into the main entrances.

We note the many public comments about the likely (albeit temporary) increase in traffic. We would like to a clearer indication of how this problem will be resolved.

The Forum welcomes the attention to sustainability in the plans.



## **Building Control**

*25th August 2020*

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

## **Parish Council**

*15th September 2020*

The Committee strongly disagrees with the assessment made in the Transport Statement: 'it is considered that there is no existing safety issue on the local highway network that could be exacerbated by the development proposals'.

There is existing widespread concern among residents of East End Road and surrounding streets; and parents of pupils at Balcarras, CKJS & CKIS, about traffic levels and speeds, inconsiderate and obstructive parking and dangerous driving practices around the start and end of the school days. There is a strong campaign for the introduction of a 'School Streets' scheme for the area, which the Parish Council is supportive of, providing that displaced traffic does not cause safety issues and difficulties to residents on the surrounding road network.

The Committee recognises the commitment in the proposal to providing an additional bus service for this year seven intake for The High School Leckhampton and staggering the start and finish times. However, given that these children are not in the catchment for Balcarras, it seems likely that any who do not use the bus service will be driven to school, increasing the volume of traffic around the peak times.

Any increase in the traffic and parking volumes will have a detrimental effect on the residents and pupils and parents who walk to the three schools.

The Committee is very concerned by this negative impact. However, due to the regrettably slow delivery of the HSL, there are 120 year seven children who must be found a school place somewhere, given the lack of available places in Cheltenham.

Because of the imperative need for these places to be provided, the Committee does not on balance, given that the proposed increase is temporary, object to the proposal, despite the above concerns.

However, the Committee would very much urge Balcarras (and CKJS & CKIS) to take all possible measures to persuade parents and sixth formers not to drive to school to balance the increase caused by this proposal, and for the County Council and Police to be proactive in managing increased disruption and poor driving / parking behaviour.

In addition, it is absolutely imperative that during the construction phase deliveries to the site must not occur during the morning and afternoon peaks and all construction personnel must park in additionally provided parking on site to prevent further on-street parking (and resultant congestion) in the vicinity.

## **Gloucestershire Centre for Environmental Records**

*14th September 2020*

Report in documents tab

## 5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent to 155 properties surrounding the site. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, 47 representations have been received; 9 in objection, 38 in support, and 1 general comment. All of the representations have been circulated in full in Members.
- 5.2 In brief, the objections are summarised below:
- Increase in traffic and inconsiderate parking
  - Impact on view from neighbouring houses
  - The site is currently used as a recreation area and for parking
  - Noise and disruption
  - The permanent retention of the building is unnecessary
  - Design
  - Impact on existing Balcarras School pupils
- 5.3 The letters of support are largely from parents of children that will be attending the new HSL.

## 6. OFFICER COMMENTS

### 6.1 Determining issues

6.6.1 The key issues when determining this application are the design and siting of the building; traffic and parking; and impact on neighbouring amenity.

### 6.2 Siting and design

#### *Siting*

6.2.1 The Planning Statement sets out that various siting options for the building were explored by the school, with initial preference given to a site adjacent to the main covered cycle parking area; however, on further investigation, that site was ruled out due to underground drainage facilities in that area. It was also felt that a building in that location would lead to an unacceptable reduction in natural light to some existing classrooms.

6.2.2 The proposed building will be sited on, and result in the loss of, part of the existing school playground which is used for informal gathering and play at break times and lunchtime, and this has been raised as a concern. The submitted Planning Statement, at paragraph 6.28, does address this issue in acknowledging that, prior to the recent provision of a new multi-use games area (MUGA) to the south of the existing school buildings, the school lacked adequate all weather playing areas. However, it goes on to say, at paragraph 6.29, that having assessed their needs and requirements, whilst also acknowledging that the new building will result in a reduction of informal space to gather, the school are satisfied that more than adequate space will remain available.

6.2.3 Notwithstanding the above, officers felt it necessary to seek additional clarification on this topic to be satisfied that the provision of the building in this location would not have a negative impact on existing pupils; and to understand how the additional pupils, albeit on a temporary basis, could be accommodated.

6.2.4 The response from the school explains that the school is currently running staggered break and lunchtimes as a result of the coronavirus pandemic, and that this is proving

useful in maximising the areas available for play, and canteen space. It is proposed to continue the use of staggered break times whilst the additional HSL pupils are on site.

6.2.5 The school have also responded that following the recent construction of the MUGA, despite the loss of part of the playground to accommodate the building and necessary circulation space, the school will still benefit from significantly more play space than three years ago.

6.2.6 The siting of the proposed building therefore, is considered to be acceptable.

### *Design*

6.2.7 The application proposes a bespoke, timber framed, modular building providing some 478sqm of accommodation. At ground floor the building will accommodate two classrooms, stores, two offices, WCs, a tuck shop, a plant room, and circulation space including a lift. At first floor there will be two additional classrooms with stores, cleaning areas, staff rooms and WCs. Access to the building will be provided via an inclined surface with level thresholds to ensure the building is accessible to all.

6.2.8 The building will have a flat roof, and the external palette of materials proposed will result in a high quality contemporary building, which will complement the nearby music block which has recently been altered and extended, with a timber/metal cladding system to the external elevations.

6.2.9 The proposed building will be clad in grey composite cladding and Western Red Cedar cladding, with high efficiency grey powder coated aluminium windows and doors. A low energy LED lighting system is proposed, together with air source heat pumps. The buildings have a lifespan of some 50 years.

6.2.10 With regard to sustainability, the Design & Access Statement at Section 7 sets out that:

*One of the primary motivations of TG Escapes Ltd [the building provider] is to provide logically and environmentally sensitive buildings...In addition to low operational energy requirements the modular buildings by virtue of their almost entirely timber construction have very low embodied carbon, given carbon is sequestered during tree growth.*

6.2.11 The statement also states that the roof has been designed to accommodate the loading of solar pv panels if desired in the future, noting that the school already has a significant array of panels on its roofs which provide on-site energy production.

6.2.12 Overall, officers are satisfied that the building is of a high quality, sustainable design, will be visually attractive, and will sit comfortably within its context.

6.2.13 The proposal therefore, is considered to meet with the requirements of adopted CP policy D1 and JCS policies SD3 and SD4, which seek to secure the provision of sustainable, high quality, attractive development.

### 6.3 Traffic and parking

6.3.1 The application has been accompanied by a Transport Statement and a School Travel Plan. Additional clarification on a number of points, and a Construction Method Statement, has also been submitted during the course of the application.

6.3.2 The County Council as the Local Highway Authority (LHA), in their role as a statutory consultee, have undertaken a very thorough assessment of the proposed

development and their detailed response can be found in Section 4 above; it is not intended to repeat the comments here but, in summary:

- The LHA are satisfied that the potential temporary increase in vehicles travelling to the school would not severely impact the local highway network during both the AM and PM peak periods associated with the existing school.
- The LHA accept the conclusions within the Walking, Cycling and Horse-riding Assessment and Review considering the scale and nature of the proposed temporary development.
- The LHA are satisfied with the submitted School Travel Plan; however, a condition is required to ensure the implementation, monitoring and review of the Travel Plan.
- The LHA conclude *“that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained”*.

6.3.3 Therefore whilst the concerns raised by a small number of local residents in relation to traffic and parking have been duly noted, officers are satisfied with the advice from the LHA, and are confident that the proposed development accords with the requirements of adopted JCS policy INF1, and Section 9 of the NPPF.

6.3.4 Alleged poor and indiscriminate parking by existing sixth form students in surrounding roads will not be exacerbated by this proposal.

#### 6.4 Neighbouring amenity

6.4.1 One local resident has commented that the proposed building will impact on their existing view in to, and beyond, the school grounds; however, members will be aware that the loss of a view is not a material consideration in the determination of a planning application.

6.4.2 Additionally, given the existing nature of the site, and the positioning of the proposed building, it is not considered that the building will result in any unacceptable harm in terms of privacy, daylight, outlook, or noise.

6.4.3 Details of the lighting and extract proposals for the building, including details of the proposed air source heat pump and predicted noise levels, have been submitted with the application, and are considered to be acceptable in this location given the distances to the nearest noise sensitive receptors.

6.4.4 No objection has been raised by the neighbouring Junior School.

6.4.5 Overall, the proposal is therefore considered to be in accordance with the requirements of adopted CP policy SL1 and JCS policy SD14 which seek to protect the amenity of neighbouring land users.

#### 6.5 Other considerations

##### *Trees*

6.5.1 The application has been reviewed by the Trees Officer who raises no objection to the proposals. A Tree Protection Plan and Method Statement has been submitted which is sufficient to demonstrate that existing trees on site will be suitably protected during the construction works. No tree removal is proposed in order to facilitate the development.

6.5.2 The works will require the pruning of trees within the adjacent Junior School site; however, the school have sought agreement from the Junior School in this respect.

### *Flooding and drainage*

6.5.3 The County Council in their statutory role as the Lead Local Flood Authority (LLFA) has reviewed the submitted Outline Drainage Strategy and raise no objection to the proposal.

### *Protected species*

6.5.4 Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

### *Piled foundations*

6.5.5 In response to the comments made by the Environmental Health Officer, in relation to noise and vibration during construction, the agent has confirmed that screw piles are proposed rather than auger pile foundations, in order to avoid any impact on nearby properties in terms of noise and vibration. An informative has been attached which requests that the applicant inform the Council when the screw piling is being carried out.

### *Public Sector Equalities Duty (PSED)*

6.5.6 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.5.7 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.5.8 In the context of the above PSED duties, this proposal is considered to be acceptable.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 The proposed development will provide much needed temporary accommodation for up to 120 year 7 pupils whilst the new High School in Leckhampton is completed. The subsequent retention and repurposing of the building for use as teaching space for the Balcarras Business Studies Department will enhance the facilities currently offered by the school and provide the business school with its own identity. It is not intended to increase the capacity of Balcarras School, which is currently capped at 1341 pupils.

- 7.2 The proposed building is highly sustainable in its design, will be visually attractive, and will sit comfortably within its context.
- 7.3 The school has carried out an assessment of their needs in relation to external recreation space for informal gathering and play, and are satisfied that more than adequate space will remain available following the construction of the building.
- 7.4 The application has been thoroughly assessed by the County Council as the Local Highway Authority (LHA) who raise no Highway objection, concluding *“that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained”*.
- 7.5 With all of the above in mind, officers recommend that planning permission be granted; subject to the following schedule of conditions/informatives:

### 8. SUGGESTED 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 Tree protective fencing shall be erected on site in accordance with the approved Tree Protection Plan, Drawing No. BHA\_775\_02A, and the protective measures 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 adopted policies GI2 and GI3 of the Cheltenham Plan (2020).
- 4 The development shall be carried in accordance with the approved Construction Management Plan, Rev 1 dated November 2020, for the duration of the construction process.
- Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017).
- 5 The approved school Travel Plan dated October 2020 shall be implemented in all respects upon first beneficial use of the development hereby permitted, and shall be monitored and reviewed in accordance with the provisions and timescales set out within School Travel Plan, unless agreed in writing by the Local Planning Authority. The details of the Travel Plan Co-Ordinator shall be provided to the Local Planning Authority prior to implementation.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

### INFORMATIVES

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

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

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

- 2 The applicant is requested to contact the Council prior to the screw piling being carried out.

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|  |  |  |  |
|--|--|--|--|
| <b>APPLICATION NO: 20/01370/FUL</b>      |  | <b>OFFICER: Miss Michelle Payne</b>        |  |
| <b>DATE REGISTERED:</b> 18th August 2020 |  | <b>DATE OF EXPIRY :</b> 17th November 2020 |  |
| <b>WARD:</b> Charlton Kings              |  | <b>PARISH:</b> CHARLK                      |  |
| <b>APPLICANT:</b>                        | Balcarras Academy Trust  |  |  |
| <b>LOCATION:</b>                         | Balcarras School, East End Road, Charlton Kings  |  |  |
| <b>PROPOSAL:</b>                         | Construction of new modular building to accommodate up to 120 year seven pupils from September 2021 - Summer 2022 following which the proposed building is to be repurposed for educational use by Balcarras Academy Trust |  |  |

### REPRESENTATIONS

|                           |           |
|---------------------------|-----------|
| Number of contributors    | <b>48</b> |
| Number of objections      | <b>9</b>  |
| Number of representations | <b>1</b>  |
| Number of supporting      | <b>38</b> |

18 Glynrosa Road  
 Charlton Kings  
 Cheltenham  
 Gloucestershire  
 GL53 8QS

**Comments:** 1st September 2020

We are local residents. We are not parents of an existing or prospective pupil:

We wish to make the following comments/ objections to the construction of this building which we have set out under the following headings:

1. The impact on views from any neighbouring houses is not "minimal":  
 The rear of our house and back garden overlooks the Junior school field and the proposed building lies directly in our line of sight both from our ground floor and bedroom windows and from our small rear garden. Additionally we currently have a view of the surrounding hills. The erection of the new modular building would deprive of us of this view.

2. Parking and Traffic: the proposed site is currently used as a recreation area and for parking. The reduction in parking and the increase in students puts more pressure on traffic flow at peak times and the need for parking in the immediate area of the school. We already have seen the affects of this along Glynrosa Road with an average of 3 cars being parked all-day by 6th form students.

Glynrosa Road is narrow and we have experienced problems in i)cars being parked opposite driveways ii) the passage of refuse trucks and large delivery vehicles iii)cars being parked on the pavement. We have alerted the school to these concerns but "all-day" parking by 6th form students has continued.

All this will be made worse by the increased traffic associated with additional students. The developers have put forward actions to mitigate the parking problem but the principal step in these i.e. a bus\* for Y7 pupils from the new school site at Leckhampton will operate for 2 years only. Following this as residents we will feel the potential impact of an increased intake of pupils to Balcarras with consequent pressure on parking and traffic in the surrounding area.

\*not all pupils will avail themselves of the bus especially if a charge is involved.

3. Noise and disruption: the volume of traffic and noise at peak times has risen considerably over the past 5 years. It lasts for an hour (morning and afternoon) with students from the Junior school followed by students from Balcarras using Glynrosa Road as a major arrival/exit point. It is extremely difficult to leave or return to our house during these periods. The increase in students will only exacerbate the problem.

4. The temporary accommodation expansion will become permanent:  
The temporary need to accommodate an additional 120 Y7 students will disappear in mid-2022. We expect that then the new building will result in not just more space for existing pupils but will enable the school to increase its intake in the light of a continued demand for places. This will increase the problems of noise, parking and traffic (see 2 above).

Have the developers explored alternatives either within the Balcarras site or within the new school at Leckhampton and have these included temporary accommodation?

5. Site and design: If the site is seen as "well-within the boundary" then the map is inadequate. The site would appear to be right on the boundary of the Junior School. The design of the building certainly falls short of the description of "a beautifully designed two-storey building."

16 Glynrosa Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QS

**Comments:** 6th September 2020

We strongly object to this development. It is unnecessary and wasteful to build a permanent new building. It will add to the already considerable existing school traffic and make local roads even less safe.

We urge the planning committee to make use of temporary accommodation to solve this temporary issue

**UNNECESSARY BUILDING**

It is clear from the planning application that the capacity problem at Balcarras is a temporary, one-year need to accommodate an additional 120 year 7 students and that this problem will disappear in mid-2022 when The High School Leckhampton is built.

It is completely unacceptable to state in the statement of community involvement that "The need for the building is considered in full within the planning statement and associated application for the new Leckhampton High School." We are not disputing that planning application, however a planning application for a new school in Leckhampton CANNOT be used to justify the need for a PERMANENT new building on a completely separate school site.

Whilst we appreciate that every school would like more accommodation space, it seems to us to be exploiting this temporary situation (and presumably the emergency funding on offer) to try to justify a long term accommodation expansion. Particularly since, as stated in the planning application, the long-term maximum student numbers at Balcarras will remain unchanged.

In actual fact, given the additional capacity that the Leckhampton High School will provide in 2022, the council's own projections show a fall in student numbers at Balcarras in the longer term.

The new High School Leckhampton adds an additional 18% to total Cheltenham secondary school capacity (<https://www.gloucestershire.gov.uk/media/2097870/school-numbers-on-roll-by-age-jan20.pdf>), bringing the total to 5,738. Meanwhile, the county's Population Profile 2020 (<https://www.gloucestershire.gov.uk/media/2097197/equality-profile-2020-final.pdf>) Table 3 projects an increase for Cheltenham of only 2.6% between now and 2041 for the whole of the 0-19 age group or approx 4,960 secondary school students. On these projections, in the longer term the secondary schools in Cheltenham will have 13% capacity and Balcarras itself approx 200 fewer students than today.

Paragraph 3.11 of the planning statement very briefly discounts the use of temporary accommodation claiming it would be "considerable expenditure" and "wasted public money". Whose word are we taking that the expenditure is either of these things? I very much doubt the expense is "considerable" compared to the cost and upkeep of a new permanent building. And a small amount of public money is not wasted if it brings with it other benefits such as the retention of children's existing recreational spaces.

Paragraph 3.14 even states that " temporary buildings could accommodate the unmet need for the year seven entry".

We see no justification for yet another additional permanent building at the northern end of the Balcarras site; either in the short or in the longer term. And we urge the planning committee to recommend use of temporary accommodation to solve this temporary issue.

### ROAD SAFETY AND ENVIRONMENT

As I'm sure you are aware, the current mix of vehicular and pedestrian traffic at peak school times, coupled with the lack of drop-off parking in the area, already causes safety concerns. We already have Balcarras sixth-formers parking along the street in Glynrosa Road and East End Road. These safety issues will of course be exacerbated by the increased traffic associated with additional students. We recall reading recently of a proposal to trial exclusion zones for parent vehicles around some schools. A toothless school Travel Plan is surely not an acceptable answer.

The increase in students will, no doubt, cause an increase in the noise in the neighbourhood associated with both pedestrian and vehicular traffic to and from school.

We note your plans included no information on any plantings that might be used to reduce noise and maintain neighbourhood amenity. Although we are pleased to see that the beautiful trees on each side of the proposal are highly regarded in the arboricultural report.

16 Murvagh Close  
Cheltenham  
Gloucestershire  
GL53 7QY

### **Comments:** 5th September 2020

I fully support this proposal, the benefits of which, in my opinion are two-fold.

Firstly, it will provide excellent temporary accommodation for the unfortunate children of the Leckhampton triangle who have suffered numerous delays to commencement of construction of the new secondary school in Leckhampton.

Secondly, this building will provide additional long term teaching space for existing and future Balcarras pupils, over (I would imagine) the next 25 years +.

As I understand it, the impact on the local environment is zero/nominal and the plan to provide a bus service from Leckhampton will markedly reduce any traffic impact, especially as the

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Leckhampton child will start/finish at different times to the Balcarras pupils. I would think that many children will cycle, as the majority of Balcarras pupils do.

Also, bear in mind these Leckhampton pupils will only be at the Balcarras site for less than a year. Thank you.

65 Church Road  
Leckhampton  
Cheltenham  
Gloucestershire  
GL53 0PF

**Comments:** 7th September 2020  
NONE GIVEN

1 Charnwood Road  
Cheltenham  
Gloucestershire  
GL53 0HN

**Comments:** 25th August 2020

We're 100 per cent in support of this, primarily because it will allow our eldest child to go to the new secondary school. This needs to be fast tracked to prevent any further delays in getting The High School up & running.

14 Naunton Park Road  
Cheltenham  
Gloucestershire  
GL53 7DQ

**Comments:** 8th September 2020

We fully support the construction of this new temporary building at Balcarras as it will provide a very sensible solution re. the accommodation of 120 students before the new school is ready. As a local family, we are very aware of the Leckhampton based students who will benefit from this learning environment and who are planning to walk and bike to this temporary venue. We also recognise and are thankful for the commitment and investment Balcarras and the local Charlton Kings community have provided for this building.

93 Pilley Crescent  
Cheltenham  
Gloucestershire  
GL53 9ES

**Comments:** 13th September 2020  
NONE GIVEN

8 Meadowsweet Road  
Cheltenham  
GL53 0AS

**Comments:** 13th September 2020  
I fully support the project.

3 Cowslip Close  
Cheltenham  
Gloucestershire  
GL53 0FN

**Comments:** 1st September 2020

This is essential to get the current year 6 into the new school and a fantastic new facility for Balcarras in the future. Get in done, too much uncertainty for too long.

4 Westbury Road  
Cheltenham  
Gloucestershire  
GL53 9EW

**Comments:** 5th September 2020

I fully support this new building. It will provide urgently needed temporary space whilst the new school is being built and then excellent new facilities for Balcarras students in the future

2 Tivoli Mews  
Cheltenham  
Gloucestershire  
GL50 2QD

**Comments:** 9th September 2020

I support the building of the temporary HSL building at Balcarras for 2021, to aid the new Leckhampton Secondary School to proceed. Ultimately a local school for local children.

37B Leckhampton Road  
Cheltenham  
Gloucestershire  
GL53 0BD

**Comments:** 12th September 2020

As a parent who's child is going to be making use of these facilities next year I support this application. Following the construction of the new school, they facilities can be used by the school for the benefit of the existing pupils and the school which would have an added benefit.

30 Murvagh Close  
Cheltenham  
Gloucestershire  
GL53 7QY

**Comments:** 12th September 2020

This is a very tastefully designed and practical building which will enable children to start at the new secondary school. I fully support this application.

21 The Avenue  
Cheltenham  
Gloucestershire  
GL53 9BL

**Comments:** 4th September 2020

This application looks to propose a well considered additional building, for use both for immediate housing of HSL pupils, and as a longer terms asset to the estate of Balcarras school. I write in SUPPORT of it.

18 Naunton Park Road  
Cheltenham  
Gloucestershire  
GL53 7DQ

**Comments:** 7th September 2020

NONE GIVEN

3 Andover Court  
Andover Road  
Cheltenham  
Gloucestershire  
GL50 2QX

**Comments:** 7th September 2020

This modular structure will be essential to ensuring current year 6 pupils in South Cheltenham have a school place locally next September. It looks to be well considered and will continue to be a useful facility to the school into the future.

105 Church Road  
Leckhampton  
Cheltenham  
Gloucestershire  
GL53 0PF

**Comments:** 4th September 2020

I am fully supportive of this application.

14 Collum End Rise  
Leckhampton  
Cheltenham  
Gloucestershire  
GL53 0PB

**Comments:** 7th September 2020

The construction of this building to 'temporarily' house current year 6 pupils who will be the first intake in 2021 of The High School Leckhampton is absolutely critical. I live in Leckhampton within the PCA and my daughter would like to go to what will become her local community school. I am also founder of the supporters group of almost 1000 members and have been fighting on their behalf to ensure we can keep our community together and that we do have places next September. This building is critical to the project.

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Children in Leckhampton have had trouble getting into a South Cheltenham school for over 15 years - specifically those living in the Leckhampton Corridor.

Finally, alongside a rapid and ongoing increase in need this problem is to be addressed by building a new secondary school in Leckhampton.

However this project has been delayed and as such won't be ready for the 2021 intake. GCC have a problem because our 4 state comprehensives are full and will be full in 2021 leaving 120 pupils displaced without a school place ANYWHERE in Cheltenham. The shocking fact is there aren't even enough places in Bishops Cleeve or Gloucester to take our children.

Now is the time for the neighbouring communities of Leckhampton and Charlton Kings to come together to ensure this project completes on time.

The new school will be a huge benefit to Charlton Kings residents and parents as it will finally alleviate the pressure on school places within CK. It will finally ensure parents do not have to move across to CK from Leckhampton to get a local school. It will hopefully mean more CK pupils will get a chance to go to their local school in the future.

It is a short-term fix to ensure the success of this new school. It is not ideal and clearly as parents of potential pupils in the first intake we are far from happy that they will be bussed over to another school. However it is so late in the day there is no alternative.

We hope CK residents and parents will support us in ensuring our children have the basic right to education in their home town. We understand GCC will provide a bus to get the children to Balcarras and have a different start and finish time - thereby alleviating pressure on traffic and pollution as far as possible.

Balcarras parents and residents will benefit from a fantastic new building which will be repurposed into a business and conference centre. Surely this is a win win.

67 Church Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8AT

### **Comments:** 30th August 2020

I am strongly opposed to this application. Church Street is already dangerously overcrowded with traffic due to pickup & drop off at Balcarras. I am often unable to access my off road parking due to parents parking across my driveway which in turn causes an issue leading to huge congestion. Traffic travel far too quickly in this area and I think a 20mph restriction should be introduced.

Surely there are sufficient schools across Cheltenham (and a new one being built in Leckhampton) that negates the need for Balcarras to grow anymore.

Removing outdoor recreational space for children is also not a positive step.

4 Peel Close  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QH

### **Comments:** 14th September 2020

## Page 32

The proposed additional classroom space will add significant additional traffic to East End Road which already inadequate in capacity at peak times for the amount of traffic generated by the existing three schools. In addition, this will lead to an increase in overspill and inconsiderate parking in neighbouring roads including Peel Close.

4B Peel Close  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QH

**Comments:** 26th August 2020

I am dismayed to learn that Balcarras are planning to build yet another building for further pupils. This will bring more traffic to the local area which is already suffering, and it will take away space that could be turned over for car-parking on their site, instead of using our village roads and frontages to local houses. Balcarras is already the cause of traffic congestion in the vicinity which is both seriously obstructive and at times dangerous. Far too many pupils are driven to school by their parents, which causes serious congestion when driving down East End Road at certain times and they also park in neighbouring roads, such as ours, Peel Close. In addition, the 6th form pupils park their cars in our Close, often badly and without any consideration, leaving no room for service vehicles to access (e.g. waste lorries, ambulances, fire engines) as well as obstructing parking and access for residents. Balcarras have adequate land to make suitable parking for those pupils driving from out of town and those who live locally should be barred from driving. Many of the young people drive too fast and dangerously and there will be a serious accident (probably to a child or an elderly resident) one day.

I also note the comments from a CK resident that the new building will take up an area used for outdoor play, which seems sad and ludicrous when this is so important for children. Balcarras is increasingly an organisation which only considers its own needs and have zero consideration for how they impact on our village. They have no respect for how it is cluttering up the landscape with more and more buildings, and take no consideration or responsibility for increasing traffic fumes and obstructions from the vehicles it attracts to the local area.

5 Peel Close  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QH

**Comments:** 7th December 2020

Regrettably I must object to these plans on the basis of the inevitable increase in traffic in the local area at peak times, which will be to the detriment of current pupils, parents and residents connected with all three schools in the village.

Despite the issues around traffic being known for a long time - speeding, illegal parking, idling and general inconsiderate behaviour, Balcarras haven't taken any noticeable steps to reduce this amongst existing parents, let alone adding another 120 pupils.

It was abundantly clear on 27th & 30th November 2020 when Balcarras had inset days whilst CKJS and CKIS were in school, that the vast majority of car journeys to and from the area are Balcarras-related. Therefore, the school need to step up and take the majority of the burden for resolving these issues for the health and safety of all pupils, parents and residents.



## Page 33

The updated version of the School Travel Plan attached to this application, dated Oct 2020, still does not have the name of the Travel Plan Co-Ordinator who should be driving positive changes forwards in this area. Sadly this indicates that the matter is not being given the priority it requires.

Whilst a bus service is touted as a way of reducing the likelihood of increased traffic, as it is not mandatory it has to be assumed that private car drop offs will increase considerably. A point also made by the GCC Highways consultation response.

Wagers Lodge  
48 East End Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QL

**Comments:** 30th August 2020

We wish to make an objection and the following observations about the planning application 20/01370/FUL for Balcarras School.

Regrettably we did not receive the Public Consultation letter/papers mailed out by EvansJones on 17 July 2020 even though we live in the residents consultation area. The planning application seriously understates the current road safety issues in Charlton Kings (specifically along East End Road) and the impact that an additional 120 pupils' travel arrangements will have on our already congested roads through the Village. Balcarras School has a Travel Plan to encourage car sharing and bus travel for the additional pupils who will be there from September 2021 to July 2022. But there is no way of enforcing this; there will, inevitably, be an increased number of parents dropping off and collecting children (especially those involved in after school activities).

In the light of this plan for 120 additional pupils at Balcarras School there is an urgent need for Council to take the initiative to address the very significant road safety issues already raised earlier this year by many Charlton Kings residents: (1) obstructive and illegal parking along East End Road and Church Street which goes unchecked because for 99.9% of the time there are no parking enforcement officers on duty; (2) excessive driving speeds for narrow roads (we need a permanent 20mph zone for much of the Village); (3) and legislation to ban the many large lorries taking a short-cut along East End Road (past Balcarras School) to avoid the Six-Ways traffic lights. The planned major increase in pupils at Balcarras School in September 2021 requires a much more proactive approach to dealing with the increased traffic impact on the already significant (and unaddressed) road safety problems along East End Road. Balcarras School is in the area most affected by these major road safety problems.

2 East End Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QD

**Comments:** 14th September 2020

We live very close to the school. And whilst we chose to move to the house so that our children would be able to attend Balcarras School, we have one child already attending Balcarras and one due to start in 2021. We feel we must object. On the following grounds:

1. Loss of recreational space. The documents allude that the site where the building is to be constructed is land that isn't currently used. I know for a fact that this land is used at break and lunchtimes by pupils, particularly now whilst they are not permitted to mingle between year groups. If the land is not used then why are there football goals on this piece of ground? The

planning consultants address this in their response stating that; pupils would be able to use the new MUGA. According to my child the MUGA is used at break and lunchtimes for clubs.

2. Traffic and Construction. As a number of other people have raised traffic is already incredibly busy and often hazardous. As we live so close we accept there will always be times each day when it is busy. Many people already park on corners, double yellow lines and block driveways. Add another 120 children and this will get worse. I am aware of the plans to provide a bus service for the additional children, however this is not enforceable. There will be additional parents dropping off their children in the local area. In addition the pavements are always very crowded sometimes meaning that children of all ages end up walking on the road because there is simply not enough room. The plan to stagger start times is a good idea; however times have been staggered for the last couple of weeks and this simple means that the pavements are busier for longer. As an example I needed to get off my driveway during the first week back whilst it was raining, I had a work emergency it was impossible due to the amount of cars and people. I also have huge concerns over construction traffic, for the same reasons. Having three schools so close together simply causes too many cars to be on the road, the schools often write to parents asking for consideration, however during rainy and/or cold days this is often ignored.

3. Impact on existing pupils and siblings due to attend. Whilst I appreciate this is not a planning issue it is equally as valid a point. As we all know Balcarras is full to capacity; we as parents were assured at the beginning that any sponsorship of the new Leckhampton High School would not affect our children. Now this is simply not true, they will no doubt have to share some facilities. Whilst I sympathise wholeheartedly with the children and their parents, I do not see why our children's school life should be impacted because of Gloucestershire County Councils inadequate planning.

Lastly the planning consultants timing is questionable. Documents were sent out to local households prior to the formal application being made. The letter was dated 17th July, which was received on 21st July with a closing date of 24th July. My comments were classed as late as we had been away (as are many parents at the beginning of the school holidays). Quite possibly this is coincidental.

3 Andover Court  
Andover Road  
Cheltenham  
Gloucestershire  
GL50 2QX

**Comments:** 8th September 2020

Believe this will be essential if the building of the school is delayed

17 Arden Road  
Cheltenham  
Gloucestershire  
GL53 0HG

**Comments:** 10th September 2020

I strongly support this application as a temporary solution to the delay in building the new High School Leckhampton. School places are urgently needed for next year's Y6 intake and this application delivers a very sensible compromise without detriment to pupils or residents of Balcarras/Charlton Kings.

70 Naunton Crescent  
Cheltenham  
Gloucestershire  
GL53 7BE

**Comments:** 4th September 2020  
I support this construction.

11 Mornington Drive  
Cheltenham  
Gloucestershire  
GL53 0BH

**Comments:** 4th September 2020  
NONE GIVEN

25 Highwood Avenue  
Cheltenham  
Gloucestershire  
GL53 0JJ

**Comments:** 11th September 2020  
NONE GIVEN

6 Moorend Crescent  
Cheltenham  
Gloucestershire  
GL53 0EL

**Comments:** 11th September 2020  
This is essential for children in the area it must go ahead

3 Pilley Lane  
Cheltenham  
Gloucestershire  
GL53 9EX

**Comments:** 17th September 2020  
NONE GIVEN

73 Honeysuckle Avenue  
Cheltenham  
GL53 0AF

**Comments:** 7th September 2020  
Fully support this initiative to provide local investment into enhanced school places and infrastructure for our children. A critical opportunity to invest now, for the benefit of our future generations.

240 Old Bath Road  
Cheltenham  
GL53 9EG

**Comments:** 4th September 2020

This solution has my full support as a parent of school age children, living in the 'Leckhampton Corridor'. For too long families in this area have lived with uncertainty concerning which secondary school their children will be allocated. The High School Leckhampton seeks to address this problem, meaning that Leckhampton children in the future will be in the same lucky position as Charlton Kings families, with a local school on their doorstep. No more years of stress and worry for parents, no more uncertainty for children who can just get on with the business of being kids and looking forward to the next chapter of their educational experience with their friends. Whilst the delay to the new High School Leckhampton site completion is far from what local families had hoped for for the 2021 intake, this temporary solution housed on the sponsor's site seems reasonable and the benefits to the Charlton Kings children is also evident with the creation of new facilities they can access once the High School Leckhampton build is complete. Yes, traffic is already an issue in Charlton Kings but a proposal to bring Leckhampton children across by bus is aimed to alleviate further impact on school run traffic and encourage many of the 120 families to take up that option. Foremost to this proposal should be the health and well-being of the 120 currently ten year old children who won't be allocated a school place in Cheltenham without this school forging ahead. There is simply no capacity for 120 children elsewhere in the Cheltenham secondary school system. Something needs to be done and this build is a temporary solution. 120 families need to submit a secondary school application NEXT MONTH! They need to feel confident that this is a viable solution and that with it their children can ultimately attend a school they will be able to walk or cycle to. Let's get it done!

4 Croft Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8LA

**Comments:** 23rd August 2020

I am writing to raise my objection to the proposed location of the new school building at Balcarras School. My concern is around the loss of recreational space, as the proposed site is presently utilised as an informal play area for pupils during break and lunchtime. The loss of the outdoor hard surfaced space will, I believe, have a detrimental effect on many students being able to exercise and socially interact, in an informal setting, and thus affect their physical and mental wellbeing.

Although the proposed site is not an area utilised for formal sport, the aerial site photograph clearly shows the proposed building is situated between two goalposts. The site is a very popular area where pupils congregate to play football etc with their peers, without having the confines of participating in a school club. The new building will, therefore, prevent children's free play, due to concerns over damage to the new building (windows accidentally being broken etc). The statement made by the planning consultants that it is not an area used for recreation is false. When I raised the point to my child, who is a pupil currently attending Balcarras School, that pupils will be able to utilise the school field or the new all weather MUGA's, I was informed that these areas are utilised by school clubs during the lunchtime period.

When the sponsorship of the new school was announced to parents back in July 2018, we were reassured that, on a day to day basis, the nature of our school won't change at all. Taking away an area of free play for pupils should be one of great concern. Children thrive at their educational setting from social interaction with their cohort sharing similar interests. Removing this recreational space will bring children together who naturally socially distance.

10, Meadowsweet Road  
Cheltenham  
GL53 0AS

**Comments:** 5th September 2020

With the higher and higher demand for school places, this is an extremely important development to ensure that local children get to go to local schools. A nice, modern building which will not only keep the dream alive for our children hoping to go to a local school in Leckhampton in the short term, but will be an asset to a local outstanding school in the long term. It will ultimately lead to less congestion and environmental issues in the county as surely local children going to local schools will mean more walking (and fitter children) and less transport required. We can't afford to be short-sighted.

51 Moorend Crescent  
Cheltenham  
Gloucestershire  
GL53 0EJ

**Comments:** 8th September 2020

We support the construction of this temporary building for 2021!

20 Brizen Lane  
Cheltenham  
Gloucestershire  
GL53 0NG

**Comments:** 11th September 2020

I am writing as ward councillor for College and County Councillor for Charlton Park and College.

The proposed development at Balcarras will provide vital accommodation for the year 7 pupils of the new school at Leckhampton (LHS).

Without the LHS and this accommodation at Balcarras, there will be no senior school place for many children in South Cheltenham in September 2021. When the LHS pupils have moved on to their new school in 2022, Balcarras will be left with a really useful, modern addition to their site, benefiting students who go to school there.

The whole issue of addressing the senior school place deficit in south Cheltenham has taken far too long to be addressed. 10 years ago or more the county council was adding places in to primary schools in south Cheltenham but without making the strategic plans necessary to be able to provide all of those children with a local senior school place.

Parents and families in Leckhampton, Naunton Park and Charlton Park areas have lived in what has felt like 'no mans land' for too long. Many of these families live in Balcarras priority area already but do not get in as it is oversubscribed.

In recent years families living in these areas have been allocated school places miles away on the other side of the town or even outside of Cheltenham in Tewkesbury Borough. I have helped many families through the appeals process and it is incredibly stressful and frustrating for them.

Please permit this development to help our young people as they take the next step on the educational journey.

5 Charlton Lane  
Cheltenham  
Gloucestershire  
GL53 9DT

**Comments:** 4th September 2020  
Fully support

70 Naunton Crescent  
Cheltenham  
Gloucestershire  
GL53 7BE

**Comments:** 7th September 2020

I am a parent of a year 6 pupil in Leckhampton and we are in full support of the new High School.

This temporary build at Balcarras must progress to fill the time gap and create a solution for the 2021 intake - our children deserve a local school.

10 Woodgate Close  
Cheltenham  
Gloucestershire  
GL52 6UW

**Comments:** 28th August 2020

Whilst I understand the need for the building, you are planning to build it without first providing exact details of how the pupils will get to the school. The roads are already congested and the streets full of toxic No2. A bus has been suggested, but the type of bus has not been clarified. As Leckhampton is meant to be a green school, surely it is not intended to bring a diesel bus down East End Rd, adding plumes of No2 to our already highly polluted air? Or worse permit parents to drive? These environmentally unfriendly options would a terrible first step for a supposedly green school. The best option would be an electric bus / coach; leasing costs are coming down and running costs are very low. Perhaps you could assure residents you will lease an electric vehicle and go green.

23 Church Road  
Leckhampton  
Cheltenham  
Gloucestershire  
GL53 0PS

**Comments:** 4th September 2020

I fully support this application of an additional building on Balcarras site. It as a necessity to be able to house and teach the pupils that need a school place in 2021 and who currently have no local school that will have a place in this year. The new school that is being built for these families will solve this problem but simply cant be built in time. The children will be transported over to Balcarras by bus so their should be limited additional traffic.

Ragstones  
Kidnappers Lane  
Cheltenham  
Gloucestershire  
GL53 0NT

**Comments:** 5th September 2020

As a parent of a year 6 child who could potentially benefit from this new building at Balcarras school I am in support of this going ahead. Though I understand the concerns of local residents, I think the whole issue needs to be taken into account. Without this building 120 children could struggle to get a place at a Cheltenham school next September and there is no other solution for this except this new building. The children will only be held there for up to 12 months and then the building would not be used for children so the impact on traffic etc is temporary. Additionally there will be a school bus which will transport many of the 120 children to the school site making the 12 month impact on traffic even less.

7 Nourse Close  
Cheltenham  
Gloucestershire  
GL53 0NQ

**Comments:** 4th September 2020

This building will meet the short term demand for school places as well as adding a value resource to balcarras students. I think the location and building will be of benefit to the community and future generations.

16 Murvagh Close  
Cheltenham  
Gloucestershire  
GL53 7QY

**Comments:** 5th September 2020

I SUPPORT this application for a temporary building for High School Leckhampton year 7 children in 2021.

It looks like a well thought out design and is an attractive and modern building. Many children will be able to walk or cycle to the school as they will live just over a mile away. The school bus is a good idea for those who are unable to do so as is the staggered start and finish times to avoid traffic congestion in the area.

After one year Balcarras students will benefit from this fantastic new Building for their Business Studies Department for many years to come. We live in the catchment area and hope that our children will be able to use these facilities.

25 Moorend Crescent  
Cheltenham  
Gloucestershire  
GL53 0EJ

**Comments:** 7th September 2020

I fully support the construction of a permanent building at Balcarras. This is vital for the first cohort of The High School Leckhampton, prior to the completion of the new school itself.

Children in the Leckhampton area desperately need the additional capacity that this building will provide for their first year at Secondary school beginning in September 2021.

In addition, Leckhampton children deserve the opportunity to attend a school local to them in the form of the new school, on its completion for use in September 2022.

In turn, this building will provide Balcarras with very useful additional facilities.

90 Painswick Road  
Cheltenham  
Gloucestershire  
GL50 2EY

**Comments:** 13th September 2020  
NONE GIVEN

68 Meadowsweet Road  
Cheltenham  
GL53 0AS

**Comments:** 14th September 2020  
NONE GIVEN

43 Collum End Rise  
Leckhampton  
Cheltenham  
Gloucestershire  
GL53 0PA

**Comments:** 5th September 2020

I fully support the construction of the new modular building at Balcarras School, as without it, 120 children of Cheltenham will be without a school for the 2021/22 academic year. Without this building, the new Secondary school in Leckhampton will be delayed, a delay that will be detrimental to so many children. My understanding is that the children will be brought over by bus, which means traffic will not be as affected as if individuals were being dropped off. Also, after the academic year of 2021/22, this building will be used by Balcarras students and will not be used to house more pupils. The new High School and this building go hand in hand and for that reason it has my full backing. Please give our children a chance!



|  |  |
|--|--|
| <b>APPLICATION NO:</b> 20/01031/FUL    | <b>OFFICER:</b> Mrs Emma Pickernell  |
| <b>DATE REGISTERED:</b> 26th June 2020 | <b>DATE OF EXPIRY:</b> 21st August 2020  |
| <b>DATE VALIDATED:</b> 26th June 2020  | <b>DATE OF SITE VISIT:</b>   |
| <b>WARD:</b> Leckhampton               | <b>PARISH:</b> Leckhampton With Warden Hill  |
| <b>APPLICANT:</b>                      | Mr And Mrs Wilkins   |
| <b>AGENT:</b>                          | Steve Mitchell Building Design   |
| <b>LOCATION:</b>                       | Crooks Industrial Estate, Croft Street, Cheltenham   |
| <b>PROPOSAL:</b>                       | Construction of 2 dwellings fronting Croft Street including new access and associated external works |

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a parcel of land to the front of the Crooks Industrial Estate off Croft Street in Leckhampton. The land is currently used as an informal parking area for occupiers of businesses within the industrial estate.
- 1.2 The applicant is seeking permission for the erection of a pair of semi-detached dwellings with associated off road parking and rear amenity space.
- 1.3 The application is before committee at the request of Cllr Cooke due to neighbouring concerns and also as a result of an objection from the Architect's Panel.
- 1.4 Revised plans were submitted during the course of the application in response to concerns raised by the Architects Panel and the Highway Authority.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

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

### Relevant Planning History:

**03/01559/GDO 18th November 2003 NOOBJ**

Erection of 1 no.11 metre high wooden pole with associated wires and attachments (retrospective)

**76/00241/PR 1st September 1976 PER**

Disused Site Of Former Fossil Cottages Croft Street Cheltenham Gloucestershire - Change Of Use Of Site Of Demolished Cottages For Vehicle Parking To Be Used By Adjoining Tenants Of Crooks Industrial Estate Only

**77/00364/PC 8th December 1977 REF**

Unit 10 Cheltenham Gloucestershire - Change Of Use Of Garage Workshop And Store To Commercial Upholstery Workshop

**77/00365/PC 8th December 1977 REF**

Unit 10 Cheltenham Gloucestershire - Change Of Use From Garage Workshop + Store To Light Industrial Workshop

**78/00210/PC 3rd July 1978 PER**

Unit 10 Cheltenham Gloucestershire - Change Of Use From Workshop And Store To Light Industrial Assembly And Storage Of Double Glazing Sealed Window Units

**78/00399/PC 12th October 1978 PER**

Disused Site Of Former Fossil Cottages Croft Street Cheltenham Gloucestershire - Renewal Of Temporary Permission For Use As A Car Park On A Permanent Basis

**90/00734/PF 26th July 1990 REF**

Retrospective Application For Roof Refrigeration Equipment

**20/01030/FUL 21st August 2020 PER**

Change of use from historic ancillary residential and storage to Residential

### 3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 5 Delivering a sufficient supply of homes  
Section 8 Promoting healthy and safe communities  
Section 12 Achieving well-designed places

Cheltenham Plan Policies

SL1 Safe and sustainable living  
D1 Design

Adopted Joint Core Strategy Policies

SD 4 Design Requirements  
SD 10 Residential Development  
SD 14 Health and Environmental Quality  
INF 1 Transport Network

Supplementary Planning Guidance/Documents

Central conservation area: Leckhampton Character Area and Management Plan (July 2008)  
Development on Garden Land and Infill Sites (June 2009)

### 4. CONSULTATIONS

**Gloucestershire Centre For Environmental Records**

*21st July 2020*

Report in documents tab

**Building Control**

*27th July 2020*

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

**Parish Council**

*17th July 2020*

The Council would not object to the application.

However there are problems, which we feel should be addressed, and if possible mitigated. This is an area of acute parking shortage. Whilst the two proposed properties have their own off road parking - 2 per house, the land which it is proposed the dwellings will be built on is presently in use by the existing business units for staff parking - approx. 10 vehicles. Representing a loss of parking space. The applicants applying for these dwellings Mr and Mrs Wilkins own much of the land in Crooks Industrial Estate in addition to several of the existing dwellings. Many residents being leaseholders. There may be a plan to use other land for staff parking, but this is not shown in the application. The corner of Upper Norwood Street and Croft Street has an existing problem of large delivery vehicles manoeuvring to make deliveries on narrow roads illegally semi parked on pavements, and should the development go ahead double yellow lines would be required.

## Page 44

In addition: It should be noted that the access road into the trading estate slopes down and at times of heavy rain fall there is an excess of surface water run off and presently at times residents do use sandbags. This of course may well be solved with the correct attention to drainage.

*2<sup>nd</sup> December 2020*

The Parish Council has no objection to this application.

### **Tree Officer**

*30th June 2020*

The CBC Tree section does not object to this proposal in principle but does not support the proposed layout and considers there is insufficient front garden space to provide a soft landscaped area to mitigate for the high quality mature, evergreen hedge which would be removed to facilitate this development. This hedge is one of the very few soft landscaping features facing Croft Street

It is recommended that a new hedge is planted against the proposed railings to the front. Whilst, it is accepted that new owners would not wish to grow any such new hedge to the dimensions of the current one, further mitigation for the removal of the current hedge could be provided by appropriate new small tree planting to the front. However the current 2 car parking space proposal for each 2 bed property significantly reduces the potential for effective successful tree planting.

Please could the west parking space of the eastern plot be removed to increase lawn and tree + hedge planting area. CBC Tree Section would also welcome tree planting in the rear garden.

Japanese maple or carefully selected ornamental cherry species may be appropriate to the front, whilst native hawthorn or similar could be planted to the rear.

Please could a detailed landscape drawing be submitted and approved prior to the start of any construction. This landscape drawing should show, tree and hedge species type, location, size and tree/hedge planting pit details. If cherry is to be planted to the front, it is recommended that root deflectors are inserted into the planting pit so as to help discourage shallow roots disrupting hard ground surfaces.

*18th November 2020*

It is assumed that the mature conifer hedge to the front of this site is to be retained (other than where pedestrian access is required). Please could this be confirmed within a landscape plan for the front of each dwelling showing hedge protection during the course of construction and also other soft landscaping including small tree planting.

This landscape drawing should show, tree, hedge (leading from Croft St to the front doors as shown) and other plant species type, location, size and tree planting pit details. If cherry species are to be planted to the front, it is recommended that root deflectors are inserted into the planting pit so as to help discourage shallow roots disrupting hard ground surfaces. However other small trees may also be suitable - Japanese maple, strawberry tree etc.

## **Architects Panel**

*11th August 2020*

### Design Concept

The panel had no objection to the principle of new dwellings on this site but had reservations about the design submitted. Croft Street is particularly narrow and not conducive to the parking and access layout proposed, especially with existing on-street parking opposite.

### Design Detail

The panel questioned whether the buildings would be better aligned to address the street rather than at an angle. This might be possible by reconfiguring the site access.

The building design would be improved by learning from other buildings in Croft Street - the proportions of windows, bays and doorways could be much improved. A redesign is recommended.

### Recommendation

Not supported.

## **GCC Highways Planning Liaison Officer**

*2nd October 2020*

The site is for two properties on Croft Street; a semi detached layout forming a quasi-terrace effect. Each property has a driveway from Croft Street: one shows parking being created on the driveway with both cars side-by-side with a double crossover; the other shows two cars parked one behind the other with a single crossover. Neither drive has any turning space for vehicles, this means all vehicles using either drive will need to enter or leave in a reverse gear.

Croft Street is a very narrow two-way street, barely two car widths across. It is uncontrolled with no parking restrictions; therefore, parking is allowed along its length, restricting widths further. Immediately opposite the site is a disabled parking bay, which is clearly in use. Parking occurs either side of the disabled bay, extending parking in the area of both proposed crossovers for the driveways that will be created. Immediately adjacent to each side of the proposal are existing crossovers, one to serve the dentists car park, one larger crossover to serve the industrial units behind the proposals. The footway along the proposals frontage is very narrow and below modern widths, it looks wide enough to cope with a wheelchair/pushchair but not with someone passing. A passing person would have to step into the road.

The proposal's drives are not acceptable as they will increase the number of crossovers along a very short stretch of pavement. The dentist crossover will have to be extended by more than two car widths; whilst, the other crossover will be a matter of a couple of meters from the industrial crossover. The resulting impact on the footway will be such that there will be increased crossovers over a small length of pavement and this will present a particular pedestrian safety issue and impact on the mobility impaired having to negotiate more crossing points and adding to the free flow of the footway. The amenity for pedestrians will be seriously affected and with vehicles reversing across this footway, the location and increase in crossovers in a very short space will affect pedestrian safety to an unacceptable level.

The design of the drive for both properties requires a reversing movement for them to be used. This again is not considered safe on such a narrow highway, it poses a risk to pedestrians and cyclists as visibility is not good enough for these movements on a two-way

street. The increase in number of crossovers in a short stretch also affects the safety of road users as there will be an increase in vehicles manoeuvring in a small space. These movements are further compromised by official disabled parking and informal parking directly opposite the driveways proposed. This is likely to cause more than one movement, akin to a three-point turn, undertaken on the public highway to access or exit the driveways. This adds further safety risks to the proposals. There are no visibility plays shown on the plans for either access. These will be needed for both pedestrian and vehicles and show they are in accordance with highway design standards, as set out in Manual for Gloucestershire Streets. It is felt that the design and layout of the parking and driveways are currently not in accordance and are unacceptable, they would pose a highway safety risk.

The designs show two vehicles on each of the driveways, the plans use a small compact car as an example vehicle in all cases. There is a distinct possibility that a larger car/SUV would be the vehicle associated with either or both property. It is clear that if such a vehicle, or two such vehicles, were on the drive they would overhang the footway. This would cause detriment to the pedestrian amenity, particularly for visually impaired or people with push-chairs or wheelchairs, forcing them into the road. The design of the spaces is not in accordance with highway design standards and as such cannot be considered acceptable, particularly with the impact they will have on pedestrian safety. It is clear the site is over-developed and there is not enough space to accommodate the required parking on-site and the highway surrounding the site is not acceptable for additional on-street provision. The impact of the vehicles access their driveways on such a narrow road, with parking immediately opposite, will increase conflict and not be possible, as well as presenting a safety issue.

It is, therefore, Highway Development Managements opinion that this application should be refused for the following reasons:

- It is unacceptable in terms of highway safety, as detailed in paragraph 109 of the National Planning Policy Framework (NPPF) as the design of the access and drives compromises both pedestrians and vehicles due to the existing highway width and poor visibility from the drive for both pedestrians and vehicles.
- It does not accord with published highway design guidance (Manual for Gloucestershire Streets), both the drives, visibility and parking spaces are non-compliant.
- In addition the designs of accesses are not safe and suitable, which is required by paragraph 108 of the NPPF.
- Section a, Paragraph 110 NPPF, requires priority to be given to pedestrian and cyclists; and section b requires the development to address the needs of the disabled and people with mobility impairment. It is clear that the design contravenes both of these sections.

*4th November 2020*

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The justification for this decision is provided below.

Plans have been revised regarding the objections raised in previous consultation responses. The design has taken all parking to the side and provides 4 spaces off street, with access taken from a private road. This design is more acceptable, whilst the spaces are tight with little space between them, there is no safety concerns for pedestrians and cyclists using Croft Street, nor is there an increase in vehicle crossovers.

## 5. PUBLICITY AND REPRESENTATIONS

|                         |           |
|-------------------------|-----------|
| Number of letters sent  | <b>30</b> |
| Total comments received | <b>13</b> |
| Number of objections    | <b>12</b> |
| Number of supporting    | <b>0</b>  |
| General comment         | <b>0</b>  |

**5.1** Thirty letters were sent to neighbouring properties, a site notice displayed and an advert published in the Gloucestershire Echo. The consultation exercise was repeated upon receipt of the revised plans.

**5.2** 13 comments have been received, 12 in objection and 1 in support

**5.3** The comments received will be circulated in full to Members but, in brief, the main concerns raised relate to:

- Parking and access problems will be exacerbated by the proposal
- Concern about safety of new accesses
- Loss of existing parking spaces
- Concerns about capacity of sewerage system/flooding
- Impact on character of street
- Impact on views from neighbouring properties
- Loss of hedge

**5.4** The comment in support of the application relates primarily to the following issues:

- Alternative parking is being made available for staff
- Scheme will not worsen flooding

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

**6.2** The application site lies within the Principal Urban Area (PUA) of the borough and benefits from ease of access (by foot, cycle and public transport) to local amenities and services on Bath Road, as well as the town centre itself. Policy SD10 of the JCS supports new housing development on previously-developed land in the PUA or where it is infilling. The area is predominantly residential in character aside from the industrial estate itself and its different commercial enterprises. The site can therefore be considered a sustainable location for housing development and there is no further designation restricting this in principle.

**6.3** A presumption in favour of sustainable development lies at the heart of the NPPF. For decision making this mean granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the framework as a whole.

- 6.4** There remains a requirement to consider the merits of the application as a whole and in this case the key factors in determining the application relate to:
- i) Design and layout;
  - ii) Impact on neighbouring properties, and;
  - iii) Highways impact
- 6.5 The site and its context**
- 6.6** The compact development of artisan terrace properties was fully laid out by the 1880s along Croft Street and the adjacent roads of Upper Norwood Street, Short Street and Moorend Street. These terraced buildings are identified as positive buildings within the townscape analysis of the Leckhampton character area of the central conservation area. In contrast to these are the larger, detached properties at the corner of Leckhampton Road and Croft Street, one of which is grade II listed.
- 6.7** By the 1950s, a small section of the terraced properties along the south side of Croft Street were demolished to make way for an industrial building which by the 1970s/80s became the Crooks Industrial Estate. This appears to be fully occupied with small commercial / industrial businesses although residential dwellings can be found to the entrance and within the midst of the estate.
- 6.8** The 1880s historical map show the application site containing two (presumably) residential buildings which were subsequently demolished around the 1970s and the land left empty. Planning records show that permission was granted in 1978 for the land to be used *“for vehicle parking by adjoining tenants of Crooks Industrial Estate”*. Immediately adjacent to the site is a commercial unit occupied by the company ‘Officeworx’ which the 1950s historical map show to be in place by then but the current building appears to be more modern.
- 6.9 Design and layout**
- 6.10** Paragraph 68 of the NPPF highlights the important contribution that small and medium size sites can have in ensuring the housing requirements of an area are met. At present the borough cannot demonstrate a five year supply of housing land. The NPPF also states in paragraph 130 that *“where design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”*. The Local Authority recognises the importance of design through adopted Policy SD4 of the JCS and Cheltenham Plan Policy D1, as well as the adopted Supplementary Planning Document (SPD) for garden land and infill sites.
- 6.11** The revised site layout provides for a pair of semi-detached dwellings, each with front and rear gardens. 4 parking spaces would be provided to the west of the site, adjacent to the access into the industrial estate. The houses follow a similar building line to Croft Villas, the neighbouring dwellings. The scale and design of the dwellings reflect those in the vicinity, reflecting the rendered elevations, banding and bay details evident in dwellings in Croft Street and Upper Norwood Street. The revised layout retains front gardens for each of the properties which is characteristic of the area. As such it is considered that the layout and design is acceptable and will assimilate well into the streetscene. Furthermore it is considered to be an enhancement to the conservation area by replacing a stark area of hardstanding with a well-designed pair of dwellings.
- 6.12** The comments of the Architects Panel are noted. It is considered that the concerns have been mostly overcome by the revised plans. The alignment of the houses to the street is designed to reflect that of Croft Villas and to follow the orientation of the site boundaries.



**6.13 Impact on neighbouring property**

**6.14** Policy SD14 of JCS and Cheltenham Plan Policy SL1 both require development to not harm the amenity of adjoining neighbours. The potential loss of light, outlook and privacy is taken into account when assessing the impact on amenity, as well as potential noise and disturbance as a result of the proposal.

**6.15** The proposed dwellings are considered to be acceptable in terms of impact on neighbour amenity:

33 Leckhampton Road – There is approximately 18m between the proposed dwelling at plot 1 and the nearest point of 33 Leckhampton Road. This is sufficient to ensure no loss of amenity.

31 Leckhampton Road – This property is in use as a dentist surgery. However there is over 20m between the rear elevation of this property and proposed plot 1 and as such the relationship between these buildings is acceptable.

Hazelcroft, Croft Street – This property fronts Croft Street. The proposed dwellings are located 13 – 17m from the front elevation of this dwelling. These distances are considered acceptable bearing in mind these are street facing elevations. It is acknowledged that the outlook from Hazelcroft will change, however planning legislation does not protect private views. The siting of the dwellings would not result in an unacceptable loss of light to the front elevation of Hazelcroft and would not have an overbearing impact.

2 Croft Villas – This property has a blank side facing elevation. The proposed dwelling adjacent to this property has a side facing window and door which serve a bathroom and utility room respectively. The proposed dwelling would not result in a loss of light or privacy to 2 Croft Villas.

**6.16** Based on the above mentioned analysis the proposal is considered to have an acceptable impact upon neighbour amenity. Given the relatively constrained nature of the location it is recommended that a Construction Method Statement is submitted to ensure there is no undue disruption to nearby residents during construction.

**6.17 Access and highway issues**

**6.18** Policy INF1 of the JCS notes how safe and accessible connections to the transport network should be provided. This policy states that *“permission will be granted only where the impact of development is not considered to be severe”*.

**6.19** As outlined above the layout as originally submitted gave rise to an objection from the Highway Authority due to the creation of additional cross-overs off Croft Street, the dimensions and layout of the proposed parking spaces. In response to these concerns the revised plans were submitted which relocated the parking off the existing access drive which leads into the industrial estate, removing the need for additional accesses off Croft Street and allowing the creation of parking spaces which are usable without the potential for overhanging onto the pavement. The Highways Officer acknowledges that the spaces are not generous in size, however they meet the standards and are usable.

**6.20** Concerns have been raised regarding the loss of the existing car parking spaces and the potential for additional on street parking. It is understood that the application site is currently used on an informal basis as parking for the Industrial Estate. It would be possible for the owner to end this arrangement at any time, regardless of the current planning application. Nevertheless it is understood that there is sufficient parking available elsewhere within the industrial estate. No objection has been received from the Highway

Authority on this basis. As such it is not considered that the refusal of the application on this basis could be sustained.

### **6.21 Trees and Landscaping**

**6.22** The plans indicate the retention of the existing hedge behind proposed metal railings. They also indicate additional tree and hedge planting. This is considered acceptable in principle and conditions are recommended requiring the submission of a detailed landscaping plan and hedge protection plan.

**6.23** Subject to these controls the impact on trees and landscaping is considered to be acceptable.

### **6.24 Other Issues**

**6.25** Some letters of representation have drawn attention to flooding in the area. The site is in Flood Zone 1 which is the lowest risk category and as such it is not necessary for a Flood Risk Assessment to be carried out. Much of the site is laid to garden and the proposed parking spaces would be permeable. It is not considered that the proposal would result in an increased risk of flooding in the locality.

### **6.26 Public Sector Equalities Duty (PSED)**

**6.27** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

**6.28** In the context of the above PSED duties, this proposal is considered to be acceptable.

## **7. CONCLUSION AND RECOMMENDATION**

### **7.1 Planning Balance**

At present the Council is currently unable to demonstrate a five year housing land supply; the current figure is calculated at 3.7 years. As such, the housing supply policies in the development plan are out-of-date and the ‘tilted balance’ in favour of granting planning permission is triggered subject to the relevant material planning consideration.

**7.2** In this instance the proposal has been found to be acceptable in principle, and when assessed against the relevant policy framework. The provision of 2 additional homes which will make a modest but valuable contribution to the shortfall adds weight to this conclusion.

7.3 As such the proposal is recommended for approval subject to the conditions listed below.

## 8. CONDITIONS

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

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 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 adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Prior to first occupation of the development, parking and turning facilities shall be provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure the adequate provision of car parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 5 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

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

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local

Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, G12 and G13 of the Cheltenham Plan (2020), 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 Prior to the commencement of development (including demolition and site clearance), a Hedge Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the methods of hedge protection, the position and specifications for the erection of 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 plan shall remain in place until the completion of the construction process.

Reason: To safeguard the existing hedge 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 the hedge is not permanently damaged or lost.

- 7 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction;
- vii) provide for wheel washing facilities; and
- viii) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during 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

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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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| <b>APPLICATION NO:</b> 20/01031/FUL    |  | <b>OFFICER:</b> Mrs Emma Pickernell      |  |
| <b>DATE REGISTERED:</b> 26th June 2020 |  | <b>DATE OF EXPIRY :</b> 21st August 2020 |  |
| <b>WARD:</b> Leckhampton               |  | <b>PARISH:</b> LECKH                     |  |
| <b>APPLICANT:</b>                      | Mr And Mrs Wilkins   |  |  |
| <b>LOCATION:</b>                       | Crooks Industrial Estate, Croft Street, Cheltenham   |  |  |
| <b>PROPOSAL:</b>                       | Construction of 2 dwellings fronting Croft Street including new access and associated external works |  |  |

### REPRESENTATIONS

|                           |           |
|---------------------------|-----------|
| Number of contributors    | <b>13</b> |
| Number of objections      | <b>12</b> |
| Number of representations | <b>0</b>  |
| Number of supporting      | <b>1</b>  |

87 Warden Hill Road  
Cheltenham  
Gloucestershire  
GL51 3EE

**Comments:** 20th November 2020

I'd like to comment as a tenant of the industrial estate who feels some of the comments are unfair.

**Parking:** I see a lot of concerns relate to the parking for staff of the estate which includes ourselves. There should be no adverse effect as there are plans to move the parking to the rear of the buildings. No cars will be forced onto the surrounding roads.

The state of the parking on street is not caused by the industrial estate and is that of the local residents and in fact at times is illegal and dangerous. The fact these houses will have off street parking is an added bonus. The lorries coming into the estate struggle as residents cars are parked illegally on junctions.

Each unit on the estate has dedicated off road private parking and it is not the staff that are parking on the roads.

**Flooding:** A big issue mentions flooding however the flooding that occurs after heavy rain and is mainly caused by the lack of drainage on Leckhampton Road. The water comes down the hill past the dentists and round into Croft Street and is the main cause of damage to the road. In my opinion these houses will not cause any further flooding and in fact may aid it as the gravel car park is destined to be gardens and currently the water runs off the hard gravel into the road.

**Refuse:** I have never seen a refuse lorry reversing from Shurdington Road as the council use a smaller lorry for this reason. Additional houses on Croft Street will not affect this if in fact it does happen.

As far as I am aware, the houses are for their own use and they are the landlords of the estate. As a tenant of the estate, our concern is that if they are not supported then they can quite easily sell the land to a developer who will soon enough build a lot of houses on it and remove all the businesses who employ tens of staff. By living close/on the estate they are showing their commitment to our businesses which at these times, is very welcome.

Woodstock  
Croft Street  
Cheltenham  
Gloucestershire  
GL53 0ED

**Comments:** 21st July 2020

I live on Croft Street and regularly struggle with parked cars limiting access down the street. In the past few months we have had a number of failed refuse and recycling collection due to access being restricted by poorly parked vehicles. Access to the industrial estate is often problematic, with large lorries passing down Moorend Street and Croft street to access the estate, and we often have issues with delivery lorries struggling to pass along the street to access the estate.

I, and many others in the local area, also have young families and use buggies and, while many of us endeavour to walk about where possible, this is made significantly more challenging as pavements are often blocked during the day with parked cars on both sides of Croft Street, Moorend Street and Upper Norwood Street.

During the lockdown period when working from home, I have noted that during the day there have been between 5 and 10 cars parking regularly in this car park during the day, and the loss of this parking facility for the industrial estate will lead to an increase in dangerous casual parking along both Croft street and the surrounding roads. This will have a significant impact on the safety of residents in the local area, on traffic management to and from the estate, and ultimately a detrimental effect on residents.

21 Moorend Street  
Cheltenham  
Gloucestershire  
GL53 0EH

**Comments:** 15th July 2020

With reference to the above planning proposal I wish to object for the following reasons.

This a very crowded area with narrow streets and insufficient parking. If these houses are built where are the employees at Crooks Industrial estate going to park.

The sewerage system doesn't need anymore new drains and it could lead to flooding.

The entrance to the houses as per plan looks like a blind entrance right next to the Industrial estate.

1 Croft Street  
Cheltenham  
Gloucestershire  
GL53 0EE

**Comments:** 8th July 2020

I object on the basis that parking is already hugely problematic. I often have to park in another street, far away from my house and is a constant source of difficulty for everyone in this area. The building of 2 houses will lose the car parking for approximately 12 vehicles.



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I also object to the loss of character and nature of this peaceful, local street, which is why I purchased my house in the first place.

There is also the added further problem of loss of natural drainage which would increase demand on the local sewers.

50 Upper Norwood Street  
Cheltenham  
Gloucestershire  
GL53 0DU

**Comments:** 27th July 2020

I object on the basis of the already limited parking available on the surrounding streets.

The proposed changes and development are only going to make an already bad situation worse for all local residents.

39A Leckhampton Road  
Cheltenham  
Gloucestershire  
GL53 0BD

**Comments:** 16th July 2020

I am writing with my personal comments, endorsed by a friend who lives in Upper Norwood Street and was unable to make a submission themselves.

I am submitting an objection to this development for the following reasons:

Croft Street is a very narrow road, and busy at all times of the day, with two-way traffic and often large obstructive delivery lorries and cars circulating in and out of the Industrial Estate, around Upper Norwood Street and Moorend Street, and turning into and from Leckhampton Road and Shurdington Road. There are frequent occasions when the volume of traffic in both directions poses a major problem in such a restricted street, causing dangerous hold-ups, especially at the Leckhampton Road 'blind' junction. Congested traffic is also a threat to pedestrians on very narrow pavements in Croft Street and the neighbourhood. Additional building would worsen these conditions.

The proposed development would entail the removal of private parking places for employees and customers of the Crooks Industrial Estate. As it stands, the car park offers spaces for over a dozen cars and ample pulling up and turning room for larger vehicles. The 1978 granting of parking on a 'permanent basis' at this site was designed to relieve parking problems even then. The parking situation in 2020 is very much more severe. If this site is built on and that parking area is lost, there would inevitably be greater parking difficulties and density around this already busy area of Leckhampton. As it is, residents of Croft Street and the nearby streets are competing for limited available parking.

The access drives of the proposed houses, leading directly into Croft Street, would constitute a danger to pedestrians and to oncoming traffic, and encroach upon the existing valuable parking (approximately 6 spaces) already permitted on this part of the north side of the street.

The proposed houses and gardens would obstruct views from properties on the opposite side of the street (notably Hazelcroft) and properties on Leckhampton Road (in particular numbers 31, 33 and 35). The windows on the north, east and south elevations particularly would be most intrusive. The development would have a negative impact on these nearby houses and gardens.

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This proposed increase in residential housing would, in addition to exacerbating the numerous traffic problems already mentioned, add to noise and light pollution and environmental damage. There is also the important question of whether this more modest proposal might lead to full-scale development of the Industrial Estate site itself, thereby greatly multiplying the growing traffic, parking and pollution problems. Incidentally, the proposed development would also necessitate the removal of a very beautiful and large evergreen hedge at present growing by the road, along the length of the site boundary.

There have been recent flooding problems in this area. Can it be guaranteed that any further development would not adversely affect the risk of floods?

11 Upper Norwood Street  
Cheltenham  
Gloucestershire  
GL53 0DS

### **Comments:** 7th July 2020

I object to the redevelopment of the land adjacent to Crooks Industrial Estate on the grounds of increased on road parking and lack of access for emergency vehicles in the surrounding streets.

The Planning application states that the current use of the land is "Private residential parking". This is inaccurate, as if it were it would be a great asset to the area. It is in fact parking for the tenants of Crooks Industrial Estate as per the planning permission granted in 1978.

For the businesses on Crooks Industrial Estate to survive their employees, suppliers and customers will need to be able to park. The local streets will not be able to safely accommodate them.

As a resident of Upper Norwood Street I observe that there are rarely parking spaces to be found on the roads during the day time when local workers and Bath Road shoppers take advantage of the free parking as residents leave for work. In the evenings the return of residents again fills up the on street parking and often it is necessary to try to find a place to park on Shurdington Road or Leckhampton Road. This is just an inconvenience but frequently the lack of parking leads to dangerous abandonment of vehicles on pavements, resulting in lack of wheelchair and pushchair access and cars are frequently parked overhanging the corners of the narrow side streets. I have a very small car and on more than one occasion have been unable to clear the obstacles blocking the junctions. There is no chance at all for emergency vehicles and thus the proposed development will further endanger the lives of local residents for the reasons stated above.

### **Comments:** 9th November 2020

I note that the revised plans have moved the vehicle access point for the dwellings with I imagine a nod to road safety.

However, the biggest danger of this development is the displacement of vehicles of users of the industrial units that currently park on the site of the proposed development. The on street parking situation is already dangerous in Croft St and Upper Norwood Street. Poor parking overhanging junctions seems to be the norm creating poor visibility for vehicles and pedestrians. Parking on dropped kerbs and junctions is common place creating serious access problems for wheelchair users.

The refuse collecting lorry has to reverse all the way from Shurdington Road to Croft Street as it cannot make the turn on the narrow junctions; the same would be true for a fire engine or any other large emergency vehicles. The removal of parking on this site will endanger the lives of local residents.

4 Moorend Street  
Cheltenham  
Gloucestershire  
GL53 0EQ

**Comments:** 28th August 2020

I'm very concerned about the potential consequences for local on street parking given it appears there will be a loss of off road parking. On various days, even during lock down, I've seen between 4 and 12 cars or vans parked in the car park. The surrounding roads are already over crowded with parked cars, with these causing problems for pedestrians, cyclists and local residents trying to park their own cars.

44 Upper Norwood Street  
Cheltenham  
Gloucestershire  
GL53 0EA

**Comments:** 12th July 2020

I have serious concerns re: parking and congestion in Croft Street and at its junction with Upper Norwood Street, which is almost directly opposite the proposed site. Most of the homes in the surrounding narrow streets do not have access to off road parking, which is already a massive problem in the area. Many homes have two vehicles, some of which are large vans, and parking is on both sides of the roads and often very close to junctions. Deliveries are a problem already, with sometimes very large vehicles being forced to block the roads whilst delivering goods. In addition, the trading estate often receives deliveries by large lorries, causing congestion and disruption. The loss of parking spaces on the existing car park can only add to the serious parking problem in the area and access to the two proposed homes would I feel be nothing less than difficult at the very least, particularly as there is disabled parking directly opposite the site. The last thing the area needs is more kerbside parking.

27 Upper Norwood Street  
Cheltenham  
Gloucestershire  
GL53 0DT

**Comments:** 14th July 2020

My objection is around parking and safety of traffic movement.

Like other people who have commented I find it extremely difficult to find parking near my house in Upper Norwood Street at the best of times.

This development removes a car park which is well used, in the last few working days there have been between 5 and 7 cars in it even given still not fully out of lockdown so potentially not all workplaces fully open.

There is no room for those cars to park on local streets where we already have a significant issue.

I also find it disingenuous to say there are two parking spaces per house, they are tiny and it seems to me there will also be vehicles from the proposed houses and their visitors looking for parking in the local streets.

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My other concern is that when medium or large vehicles/lorries come down the street (UNS), which is not infrequent, they cannot turn the corner into Croft Street in either direction as not enough space and therefore have to manoeuvre with a many point turn.

They use 1 the lane into the industrial estate which is pretty narrow 2 the parking in front of Officeworks and 3 MOST IMPORTANTLY often use the entrance area of the current car park as part of this turning/manoeuvring.

I fear it will become more difficult and dangerous without this space being available and this should be considered.

My final comment is about the loss of the greenery, something we lack in this area, due to the removal of the hedge at the front of the plot and the lack of ability to mitigate this due to the density of the development.

12A Moorend Street  
Cheltenham  
Gloucestershire  
GL53 0EG

**Comments:** 24th July 2020

I would like to comment on the planning application.

There is an extreme shortage of parking in this area so I would comment that the proposed development is not sustainable unless substantial additional parking is provided for the new residents and the users of crooks industrial estate. The parking shown on the drawing is not enough and the result will be even more demand for on-street parking.

**Comments:** 24th July 2020

There is very limited parking in this area. The development as shown will remove much parking for crooks industrial estate and add more demand for on-Street parking.

37 Upper Norwood Street  
Cheltenham  
Gloucestershire  
GL53 0EA

**Comments:** 17th July 2020

I object firstly on the grounds of the increased traffic volume that two extra houses would create on the already overused Upper Norwood Street and Croft Street.

The car park is used only by employees of Croft Industrial Estate. There are approx eight cars parked there each day. The loss of these spaces would severely impact on the already limited parking for the residents in the surrounding streets. I see no evidence on the plans that the car park is to be relocated within the Industrial estate. Large van and lorries delivering to the estate already struggle to manoeuvre and use the car park to turn.

I believe yellow lines would be required outside Hazlecroft opposite in order for the 2 proposed vehicular entrances to be made safely. This could potentially cause a loss of a further 4 parking spaces.

Croft Street floods during heavy rain. The car park I believe acts as natural drainage. Is there a proposal for the drainage system to be updated ?

Hazelcroft  
Croft Street  
Cheltenham  
Gloucestershire  
GL53 0EB

**Comments:** 9th July 2020

I'm writing to inform you I absolutely object to the work that's going to be done right opposite my house, I believe two properties are going to be built. The reasons for this is noise and disturbance, the traffic and the visual impact would be horrifying. It would block the view of the hills, and block the natural light from my bedroom windows.

We have lived here for eight years and I know myself, my daughter and neighbours would feel distraught if this would go ahead.

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|   |   |   |  |
|---|---|---|--|
| <b>APPLICATION NO:</b> 20/01907/FUL       |   | <b>OFFICER:</b> Mr Ben Warren             |  |
| <b>DATE REGISTERED:</b> 3rd November 2020 |   | <b>DATE OF EXPIRY:</b> 29th December 2020 |  |
| <b>DATE VALIDATED:</b> 3rd November 2020  |   | <b>DATE OF SITE VISIT:</b>                |  |
| <b>WARD:</b> Charlton Park                |   | <b>PARISH:</b> Charlton Kings             |  |
| <b>APPLICANT:</b>                         | Mr Luke Fry   |   |  |
| <b>AGENT:</b>                             | Coombes Everitt Architects Limited  |   |  |
| <b>LOCATION:</b>                          | 4 Hartley Close, Cheltenham, Gloucestershire  |   |  |
| <b>PROPOSAL:</b>                          | Extensions, alterations and remodelling works to form two storey flat roof dwelling |   |  |

**RECOMMENDATION:** Permit



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached bungalow located within a residential area on Hartley Close.
- 1.2 The applicant is seeking planning permission for extensions, alterations and re-modelling works to create a two storey flat roof dwelling.
- 1.3 The application is at planning committee at the request of Councillor Baker who raises concerns with the design and its impact on the character of the street scene, these concerns have also been raised in the Parish Council's comments.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

None

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 12 Achieving well-designed places

### **Adopted Cheltenham Plan Policies**

D1 Design  
SL1 Safe and Sustainable Living

### **Adopted Joint Core Strategy Policies**

SD4 Design Requirements  
SD14 Health and Environmental Quality

### **Supplementary Planning Guidance/Documents**

Residential Alterations and Extensions (2008)

## 4. CONSULTATIONS

### **Building Control**

*6th November 2020*

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

### **Parish Council**

*1st December 2020*



The scale of the proposal is not a concern, given the size of the plot. However, the choice of materials and the design are completely discordant and bear no relation to any of the properties in the area.

The Committee strong objects to these choices and suggests that a conventional pitched roof structure and materials choices in keeping with the local vernacular would keep a more harmonious street scene.

### **Gloucestershire Centre For Environmental Records**

*8th November 2020*

Biodiversity report available to view.

### **Architects Panel**

7<sup>th</sup> December 2020

#### Design Concept

The panel had no objection to the principle of turning the existing bungalow into a two storey dwelling. The building is sufficiently far enough away from adjoining properties that the extra height will not affect neighbour amenities.

#### Design Detail

The design approach deliberately changes the style of the house from what is currently a traditional brick house with pitched tiled roof, to a contemporary flat roofed dwelling composed of zinc cladding and white render.

On balance the panel felt the contrast of style and the simple composition of the more contemporary design could be supported in this location.

#### Recommendation

Support

### **Civic Society**

8<sup>th</sup> December 2020

#### OBJECT

The Civic Society Planning Forum objects to these proposals, which are out of keeping with the rest of the estate, both in style and in scale. The unimaginative grey cladding does not sit comfortably with its 1970s brick neighbours, and is not a good design.

## **5. PUBLICITY AND REPRESENTATIONS**

5.1 9 letters were sent to neighbouring properties, letters of objection have been received from 7 neighbouring properties. The concerns have been summarised but are not limited to the following:

- Privacy
- Design
- Visual Impact/Impact on the street scene

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

6.2 The main considerations of this application are design, impact on neighbouring amenity and impact on the character of the area.

6.3 The local area has been visited to understand the context of the site and its surroundings; the application site has also been viewed from the rear/side garden of number 6 Hartley Close to consider impact on amenity.

### **6.4 The site and its context**

6.5 The existing building is a detached, brick-built bungalow with a pitched roof. The building is sat in a generous plot and is well set back from the highway.

6.6 The properties either side of the application site vary in scale, form and design; these include a detached bungalow of a similar design and scale to the application site on one side and brick-built detached two storey dwellings on the other.

### **6.7 Design and impact on street scene**

6.8 Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

6.9 Adopted Cheltenham Plan Policy D1 requires extensions and alterations of existing buildings to avoid causing harm to the architectural integrity of the building or group of buildings.

6.10 JCS policy SD4 relates to design and identifies considerations to include context and character, legibility and identity, amenity and space.

6.11 The application proposes extensions and alterations to the existing dwelling to create a contemporary two storey flat roof dwelling. The scheme introduces new modern materials, including grey metal cladding, grey powder coated aluminium window and doors, and render.

6.12 When considering the context and the scale of the proposed development, it is important to note that the land rises from east to west. The adjacent properties to the south west are two storey pitched roof dwellings located on higher land. To the north and north east, are single storey dwellings on lower land. The proposed development of a two storey flat roof dwelling will provide a transition between the single storey and two storey dwellings either side of it. Whilst proposing a different form of building, it is not considered that the scale of the proposed development would be particularly harmful to its surroundings.

6.13 The proposed design and appearance of the remodelled dwelling is significantly different from the design of the existing dwelling and differs from that of the properties immediately either side of it. However, a contemporary design approach that differs from its immediate surroundings does not necessarily result in harm. Paragraph 127 of the NPPF specifically mentions that decisions should not prevent or discourage appropriate innovation or change. The existing building is of no real architectural merit and the properties in the immediate locality vary in scale, form and design. Officers do not consider there to be a particularly strong sense of character surrounding the application site. Recent permissions and works already carried out in the local area have established modern extensions and alterations to be acceptable in this area. The Architects Panel support the application and

consider the contrast in style and the contemporary design in this location to be acceptable.

6.14 Officers consider that the extended and remodelled property would sit comfortably within its plot and will retain a generous amount of space about it; the dwelling is set back from the road by approximately 26 metres. Given the surrounding layout of development and its position away from the highway, officers consider that a contemporary design approach can be achieved on this site without resulting in any significant harm to the character of the area or any unacceptable harm to the street scene.

6.15 Whilst acknowledging that the design is not in keeping with its surroundings, Officers consider the proposal represents an acceptable modern and high quality design that will not result in any unacceptable harm to the design or character of its surroundings. Therefore, on balance, the application is considered to be compliant with adopted Cheltenham Plan Policy D1 and adopted JCS policy SD4.

### 6.16 **Impact on neighbouring property**

6.17 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.

6.18 The proposed works introduce an additional floor to the site; it is acknowledged that this will result in the proposed dwelling being more visible from neighbouring sites. However, due to its position within the generous plot; it is not considered that the development will result in any unacceptable loss of light or overbearing impact to any neighbouring land user.

6.19 Concerns have been raised locally regarding a potential loss of privacy as a result of new first floor rear elevation windows. All of the first floor rear elevation windows achieve in excess of 11 metres to the rear boundary; this exceeds the minimum of 10.5 metres which is considered to be acceptable. The first floor window closest to the boundary with number 6 Hartley Close serves an en-suite bathroom and it is reasonable to assume that this will be obscurely glazed, but a condition to this effect has also been suggested.

6.20 The extended dwelling is not considered to result in any unacceptable loss of light, loss of privacy or overbearing impact and is therefore considered to be compliant with adopted Cheltenham Plan policy SL1 and adopted JCS policy SD14 in terms of protecting neighbouring amenity.

### 6.21 **Other considerations**

6.22 Concerns have been raised from the adjacent land user at number 6 Hartley Close regarding the 'future use' of the site and the extent of parking provision proposed. The proposal is for a remodelled dwelling and is therefore being considered in that way, any change of use in the future would require a new application. The provision of off street parking is considered to be of benefit for the local area and will reduce any on street parking implications.

### 6.23 **Public Sector Equalities Duty (PSED)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

### 7. CONCLUSION AND RECOMMENDATION

- 7.1 Paragraph 38 of the NPPF states ‘LPA’s should approach decisions on proposed development in a positive and creative way.....Decision makers at every-level should seek to approve applications for sustainable development where possible’. Having considered all of the above, whilst officers appreciate that the works will result in a remodelled dwelling that is not directly in keeping with its surroundings, it is considered to represent an acceptable contemporary design that will not result in unacceptable harm to the design or character of its surroundings. Furthermore, the proposed development will not result in any unacceptable impact on neighbouring amenity.
- 7.2 After careful consideration, 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 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor rear elevation window to serve the en-suite 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 adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

|   |   |  |
|---|---|--|
| <b>APPLICATION NO:</b> 20/01907/FUL       |   | <b>OFFICER:</b> Mr Ben Warren              |
| <b>DATE REGISTERED:</b> 3rd November 2020 |   | <b>DATE OF EXPIRY :</b> 29th December 2020 |
| <b>WARD:</b> Charlton Park                |   | <b>PARISH:</b> CHARLK                      |
| <b>APPLICANT:</b>                         | Mr Luke Fry   |  |
| <b>LOCATION:</b>                          | 4 Hartley Close, Cheltenham   |  |
| <b>PROPOSAL:</b>                          | Extensions, alterations and remodelling works to form two storey flat roof dwelling |  |

## REPRESENTATIONS

|                           |          |
|---------------------------|----------|
| Number of contributors    | <b>8</b> |
| Number of objections      | <b>8</b> |
| Number of representations | <b>0</b> |
| Number of supporting      | <b>0</b> |

6 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

### Comments: 18th November 2020

We wish to advise you of a number of strong objections we have to the proposed development of a two story flat roof dwelling. As an immediate neighbour of the proposed development we are of the view that the proposed development will have detrimental impact on us and the neighbourhood in general. Our specific objections are as follows:

#### 1. Noise and disturbance from the development (especially traffic)

A) the increased tarmac indicates an expectation of multiple vehicles coming and going from this property as a reflection of its much increased scale. These will use our shared driveway and will inevitably impact the amenity of our property.

B) While we are all temporarily working at home these days the office provision, tarmac and internal layout of the proposal (not to mention it's utilitarian external appearance) suggest future use of the building as a mixed office/residential property with all the comings and goings that inevitably go with that.

#### 2. Privacy

A) The proposed development adds an entire extra floor to the existing bungalow and overlooks our private garden space at the north end of our property.

B) Panoramic windows of the proposed extension will look directly at those in our property (please see our own recently granted permission). Due to significant difference in land levels, the panel fence will not afford privacy (these levels are not addressed in the proposal). Whilst the current occupants may accept this, the interests of future owners of the property should be considered.

#### 3. Visual Impact and design quality

## Page 70

A) We believe the proposed development is not overall of high quality, is not visually attractive, is not good architecture and is not sympathetic to local character and the surrounding environment. It does not maintain the strong sense of place that Hartley Close currently has. It does not use quality materials, is not attractive or welcoming as a house and does not contribute to the overall quality of the neighbourhood.

B) We believe that the proposed development is a direct contravention of the National Planning Policy Framework (mainly chapter 12 "Achieving well-designed places") . It does not respect overall street form and layout and uses poor and incongruous materials and design to undermine the integrity of the neighbourhood. The proposed development would be entirely out of character for the neighbourhood and the current style of properties in the street.

C) The design, scale and vehicle provision indicate the intended use of this property to be as much a future business site and investment project as a domestic one. This is not an appropriate development for the street.

D) Although many people are now working at home I think we should be wary of creeping commercialisation of quiet domestic properties and neighbourhoods.

E) The proposed development is completely at odds with the other houses in the street and is not sympathetic to local character and history, the surrounding built environment or landscape setting.

F) The proposed development would extend a three bedroom, two reception room bungalow into a four bedroom, two story, office building complete with flat roof. The proposed plans suggest an investment opportunity rather than a domestic neighbourhood development and we should be able to look to the council to protect us from this type of challenge to the community and certainly to consider the wider implications that allowing such a precedent would set.

We are not in principle opposed to the right to extend and develop properties but this proposal does not seem to be in any way appropriate.

**Comments:** 25th November 2020

Following conversation with cllr:

I think it is fair to say that none of the people who have objected to this proposal want to stop the new owner developing the property. The problem is the style and materials and ultimately the scale of the development which is driving some of those style choices. I feel they are attempting more than the plot is designed for and are trying to set a precedent for further development which would be hard to resist and progressively degrade the neighbourhood.

- If the design didn't add a full extra storey (rather than dormer etc), it wouldn't need a flat roof. Even with this it is domineeringly large.
- If it didn't have a flat roof it wouldn't make sense to use cladding material; traditional materials would be a more obvious choice.
- The design anticipates increased occupancy above the original with traffic/parking etc accordingly.

The property is at present a three bedroom bungalow. All of the bungalows on the road were built the same way in I think 1971, with a hatch to the dining room from the kitchen (probably now bricked up but that was the fashion then) and No 4 is unchanged. Despite the estate agent calling it a 4 bedroom bungalow the photographs on the most recent sale show that it was still set up as a three bedroom property with a dining/reception room and a very small kitchen which was typical for properties of the time.

## Page 71

Re-developing this type of bungalow to a four bedroom fully two storey building (not 'dormer windows' etc) has never been allowed in Hartley Close before and would set a precedent allowing all the others in the road to be similarly scaled.

2 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

**Comments:** 17th November 2020

The proposed design of the substantial extension is completely out of character with any other property in Hartley Close and for that matter the neighborhood. The extremely modern look of the proposal and especially the the flat roof would be an eyesore.

18 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

**Comments:** 18th November 2020

This proposed development is totally out of keeping with the existing street scene.

None of the immediately local houses have flat roofs nor are they clad in metal.

This proposal is overbearing and quite frankly appears, from the limited drawings, to be an eyesore.

Please can you have regard to what this area looks like and not succumb to every hare brained modern design just because they appear in the latest edition of Architects Weekly.

10 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

**Comments:** 14th November 2020

It is disturbing to see such an intrusive modernist proposal, neither complementing or respecting the character of the Close or any property within it.

It fails to blend in shape or material terms & appears to offer all the charm & context provided by a branch of Aldi or Joni Mitchell's "Parking lot"?

An alternative proposal would be welcomed.

9 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

**Comments:** 20th November 2020

The project as presented in these drawings is totally unsympathetic to neighbouring properties and quite unattractive.

## Page 72

The design appears to have been developed to provide the maximum accommodation for the lowest price, rather than to provide good quality housing.

7B Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

**Comments:** 20th November 2020

We object to the application due to the choice of materials / finishes proposed which appear more Tewkesbury Road than Hartley Close, being entirely out of keeping with the tasteful brick finish of other properties in what is currently a highly attractive street scene bordering the Cotswold AONB. We politely request that the applicant's architect comes up with alternative finishes and that the planning officers do not allow the application to be permitted in its current form.

16 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

**Comments:** 18th November 2020

My concern is not with the wish to extend or modernise the property but the current size, design and finish proposed.

Core Policy CP7 (Design) requires development to be of a high standard of architectural design and to complement and respect neighbouring development.

This application does not respect or complement the local street development with the architectural design proposed.

The current single storey property is constructed of brick, similar to the majority of other properties on this street. The intention to finish with full rendering and Vieo metal cladding as well as a flat roof which is certainly not in-keeping or complementary of the character of the street and adjacent properties.

The council's adopted Supplementary Planning Document: Residential Alterations and Extensions (2008) also sets out design guidance in terms of extension to residential properties. The document emphasises the importance of achieving subservience, and that an extension should not dominate or detract from the original building but play a supporting role. The proposed plans included in this application note the substantial size and height of the proposed extension which will certainly result in the extension becoming not only the dominating feature of this property, but to fully change the look of the entire original building. It is my view that this will create an overbearing and oppressive impact on the street and contrary to the supplementary planning document guidance.

I therefore request a recommendation is made to change the proposed application to one more aligned to current planning guidance.



22 Hartley Close  
Cheltenham  
Gloucestershire  
GL53 9DN

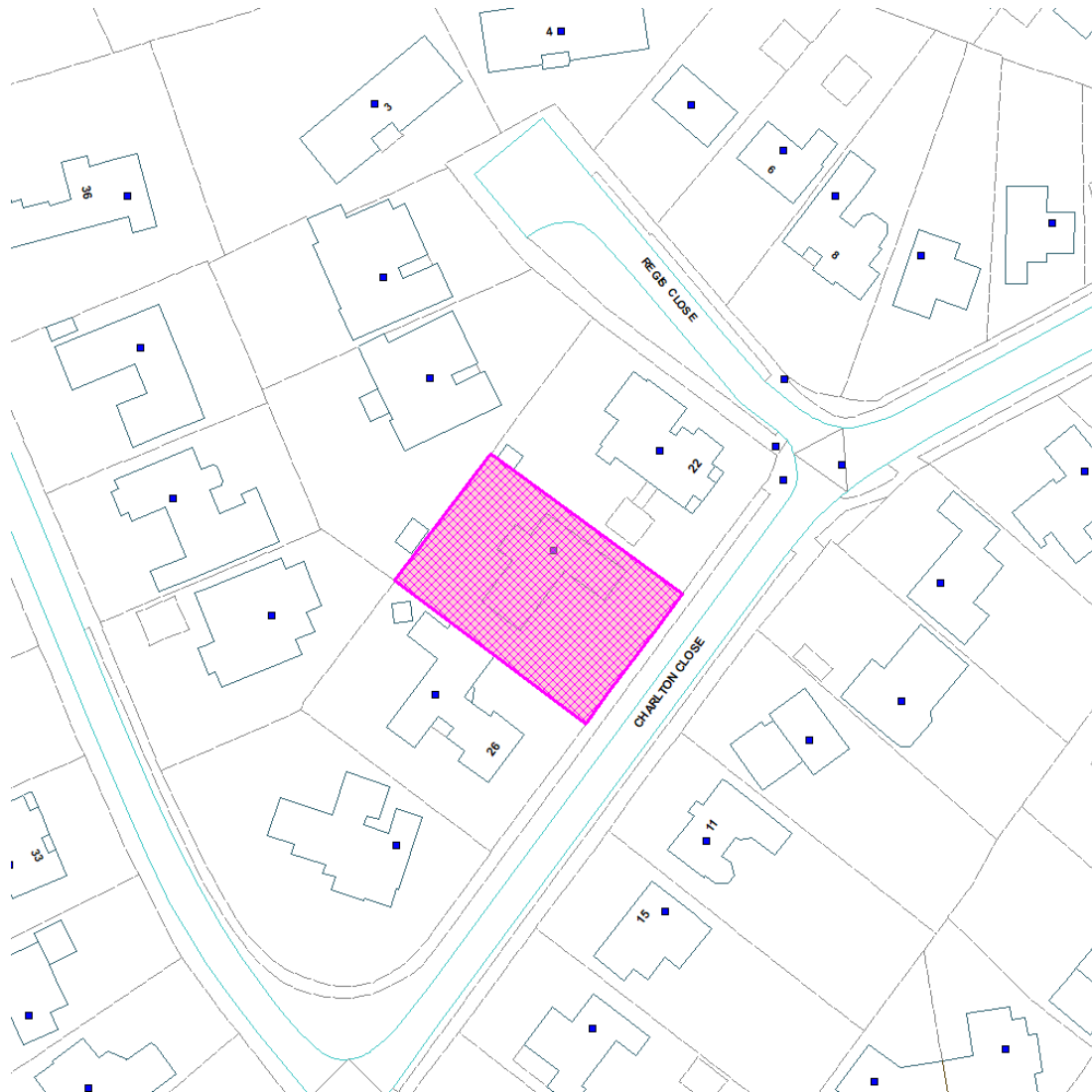
**Comments:** 25th November 2020

This application is totally out of character in Hartley Close. There have been many conversions and additions to property in this road and all have managed to conform to the existing standards. These plans would not enhance the area at all.

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|   |  |   |
|---|--|---|
| <b>APPLICATION NO:</b> 20/01946/FUL       |  | <b>OFFICER:</b> Miss Claire Donnelly    |
| <b>DATE REGISTERED:</b> 6th November 2020 |  | <b>DATE OF EXPIRY:</b> 1st January 2021 |
| <b>DATE VALIDATED:</b> 6th November 2020  |  | <b>DATE OF SITE VISIT:</b>              |
| <b>WARD:</b> Charlton Park                |  | <b>PARISH:</b> Charlton Kings           |
| <b>APPLICANT:</b>                         | Mr T Russell   |   |
| <b>AGENT:</b>                             | Build Design   |   |
| <b>LOCATION:</b>                          | 24 Charlton Close, Cheltenham, Gloucestershire   |   |
| <b>PROPOSAL:</b>                          | Proposed car port and garage - re-roofing and render walls (revised proposal to previously approved application; 20/00542/FUL, to increase the width of the car port) (part retrospective) |   |

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 24 Charlton Close; a detached bungalow located on a residential cul-de-sac within the parish of Charlton Kings. The site is not within a conservation area.
- 1.2 The applicant is seeking planning permission for a new carport and garage, and to re-roof and render the existing property. This application is a revised application to the previously approved scheme 20/00542/FUL to allow for the increase in the width of the carport by 1m. The application is retrospective as the works have been complete.
- 1.3 The application is at planning committee at the request of Councillor Harvey due to an overbearing impact, loss of amenity and not building in accordance with approved plans.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

**20/00542/FUL 7th May 2020 PER**  
Proposed car port and garage, re-roofing and render walls

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 8 Promoting healthy and safe communities  
Section 12 Achieving well-designed places

### **Adopted Joint Core Strategy Policies**

SD4 Design Requirements  
SD14 Health and Environmental Quality

### **Cheltenham Plan Policies**

D1 Design  
SL1 Safe and Sustainable Living

### **Supplementary Planning Guidance/Documents**

Residential Alterations and Extensions (2008)

## 4. CONSULTATIONS

### **Building Control**

*10th November 2020*

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

## 5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 Letters have been sent to six neighbouring properties, six responses have been received all of which object to the proposal.
- 5.2 A summary of the main points raised by objecting residents include, but are not limited to the following:
- Not built in accordance with approved plans,
  - Overhangs neighbouring property,
  - Visual impact,
  - Out of character with other properties in the local area,
  - Does not comply with policy,
  - Impact on amenity,
  - Overly large in scale.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

- 6.2 The application is a revised application proposing a carport with garage behind, and reroofing and rendering of the existing property. The principle of the works have been established as part of the previous application (ref. 20/00542/FUL). As such, this revised application is considering the amendment of the increased width of the carport and garage by 1m and will consider the design and impact on neighbouring amenity as a result of the width increase.

### 6.3 Design

- 6.4 Policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings. This draws from paragraph 127 of the NPPF which seeks development to be visually attractive and sympathetic to local character.
- 6.5 The Council's Supplementary Planning Document: Residential Alterations and Extensions set out five basic design principles; maintain character, subservience, ensure adequate daylight, maintain space between buildings and maintain privacy. The document emphasises the importance of later additions achieve subservience in relation to the parent dwelling setting out an extension should not dominate or detract from the original building, but play a supporting role.
- 6.6 The proposed carport and garage extension measures approximately 5.1 metres in width, extending to the boundary of the site. As a result of the extension the property width would measure approximately 22.8 metres. When viewing the extension on site, the extension seems to overhang the neighbouring property, this will be covered further in section 6.14 below. The design of the extension would continue the design of the existing property; the continuation of the existing ridge and use of materials to match. It is acknowledged that the property somewhat stands out in the street, however this is due to the recent modernisation

of the property which included replacing the roof tiles and introduction of white rendering of the property.

- 6.7 The properties within Charlton Close are generally detached and set within relatively wide plots and have an element of space between properties. The proposed alteration to the carport would result in the extension extending to the boundary of the site and therefore the whole property just about filling the width of the plot and closes the existing gap between the application property and the neighbouring 26 Charlton Close. It is considered that building up to the boundary of the plot and closing the gap is not achieving the highest standard of design; however when viewed in the street, the proximity to the neighbouring property would only be appreciated when viewing the property directly in front. As such, whilst it is a shame a gap has not remained between properties, it is considered that the proposal would not result in harm to the wider street scene and character of the area and the design is therefore considered to be appropriate.
- 6.8 On balance, the proposal is considered to be acceptable in terms of design. The design is in-keeping with the existing property, and would not result in an unacceptable impact on the wider street scene. The proposal therefore complies with the relevant planning policies and guidance.
- 6.9 **Impact on neighbouring property**
- 6.10 Policy SD14 of the JCS and policy SL1 of the Cheltenham Plan require development not to cause unacceptable harm to the amenity of adjoining land users; this echoes section 12 of the NPPF.
- 6.11 A number of objections have been received from neighbouring residents, the main concerns raised are summarised in section 5.2.
- 6.12 Having carried out a desk based and an on-site external assessment of the proposal, the neighbours' concerns regarding the proximity of the extension to no. 26 Charlton Close have been taken into consideration. However, whilst the extension may seem overbearing due to its proximity to this property, there are no concerns that there would be an unacceptable loss of light or loss of privacy to this neighbouring property. As such, when weighing up this application against the relevant planning policies, it is considered that there would not be an unacceptable impact on the amenity of the adjoining land user. The proposal would therefore comply with the relevant planning policies.
- 6.13 **Other considerations**
- 6.14 As mentioned above, and raised by a number of objecting residents, the extension appears to overhang the neighbouring property. The matter of land ownership is not a material planning consideration and is a civil matter that should be dealt with between land owners. However, the applicant has advised that the extension is built 100mm from the boundary at the front and 250mm from the boundary at the rear.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1 Having considered the application, on balance, the proposal is considered to be acceptable. The design is in-keeping and does not impact upon the street scene or wider character, whilst its proximity could be overbearing, there are no amenity issues as a result of the extension. It is therefore for these reasons that the recommendation is to permit this application subject to the suggested conditions set out below.

## 8. SUGGESTED CONDITIONS / INFORMATIVES

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

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

### 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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|---|--|--|--|
| <b>APPLICATION NO:</b> 20/01946/FUL       |  | <b>OFFICER:</b> Miss Claire Donnelly     |  |
| <b>DATE REGISTERED:</b> 6th November 2020 |  | <b>DATE OF EXPIRY :</b> 1st January 2021 |  |
| <b>WARD:</b> Charlton Park                |  | <b>PARISH:</b> CHARLK                    |  |
| <b>APPLICANT:</b>                         | Mr T Russell   |  |  |
| <b>LOCATION:</b>                          | 24 Charlton Close, Cheltenham  |  |  |
| <b>PROPOSAL:</b>                          | Proposed car port and garage - re-roofing and render walls (revised proposal to previously approved application; 20/00542/FUL, to increase the width of the car port) (part retrospective) |  |  |

### REPRESENTATIONS

|                           |          |
|---------------------------|----------|
| Number of contributors    | <b>6</b> |
| Number of objections      | <b>6</b> |
| Number of representations | <b>0</b> |
| Number of supporting      | <b>0</b> |

32 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 24th November 2020

The building which has been constructed occupies a larger area than that represented in the approved plans to the extent that it actually overhangs the neighbouring property. Visually the impact of the two neighbouring properties essentially touching one another is completely out of character with the other properties in the local area. Aside from the unpleasant visual impact, with the buildings now so close together maintenance will be near impossible.

High Ridge  
33 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 11th November 2020

Visual impact:

Charlton Close is a neighborhood of detached houses and bungalows, spaced apart. This extension essentially turns 24 & 26 into non-detached bungalows, as, due to this unapproved extension, they are actually touching. This does not fit the character of the street.

Amenity:

Aside from the unpleasant visual impact, due to extension now abutting the bungalow next door, maintenance on that side of the bungalow will be near impossible.

26 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

### **Comments:** 28th November 2020

My neighbour was granted planning permission earlier this year to make modifications to the bungalow next door to us, which he had recently purchased. As part of the original planning application a workshop and car port were also applied for. We did not comment on the original proposals as these appeared to be acceptable at that time.

As the build started to take place it quickly became apparent that the extension was being built exceptionally close to our house. At that point we contacted the planning department to raise concerns and also sent in photographs. The Enforcement Team opened a case and after making a visit to the site, reported that the building under construction was in breach of the approved planning permission and was therefore unauthorised.

The owner has now submitted an application to regularise the works which have been carried out and to have the current build approved. We understand from the owner that mistakes have been made with measurements and that it was not intended for the building to be so close to our house.

The current situation is that the building, as constructed overhangs our house quite considerably and also I believe touches our roof. This leaves us in a situation where we would not be able to easily access our own gutters or part of the adjoining section of roof. It also results in an overbearing appearance, with the new build having the effect of looming over our property.

The building is also out of keeping with the properties in the road and does not compliment or respect our property. It is visually out of keeping with its surroundings with many visitors commenting with shock and disbelief at the size of the building and the impact on our property.

I have listed below the local policies which I understand are relevant and which I believe the development as constructed contravenes.

#### **POLICY CP 4 - SAFE AND SUSTAINABLE LIVING (Objectives O3, O4, O16, O23 and O32)**

Development will be permitted only where it would:

- (a) not cause unacceptable harm to the amenity of adjoining land users and the locality (notes 1 - 4);

#### **POLICY CP 7 DESIGN (Objective O2)**

Development will only be permitted where it:

- (a) is of a high standard of architectural design; and
- (b) adequately reflects principles of urban design; and
- (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3). Extensions or alterations of existing buildings will be required to avoid:
- (d) causing harm to the architectural integrity of the building or group of buildings; and
- (e) the unacceptable erosion of open space around the existing building. Note 1 Principles of urban design relevant to this policy are set out in table 3. Key design considerations for individual buildings are set out in table 4. Note 2 Development should reflect the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and supplementary planning guidance on conservation areas. Note 3 See also policies RT 2 (retail development in the Core Commercial Area) and HS 2 (C) (housing density)

As described above the unauthorised work is clearly contrary to the above development plan policies and results in an unacceptable development which has a harmful impact upon the character of the area as a whole, being out of keeping with other development in the area. Policy CP 4 clearly indicates that development should not be approved if it causes "unacceptable harm to the amenity of adjoining land users and the locality". The extension as built clearly does cause harm to our amenity and the general area. If approved the extension would prevent me from accessing a section of my property - i.e. some of the roof and all of the guttering along the adjoining side. This would result in us not being to maintain our property properly where it adjoins the new build section.

28 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DJ

**Comments:** 10th November 2020

I did not review the details of the initial planning application because I assumed that the the building would adhere to planning consents and would have to be reasonable to be approved.

I was shocked to see the finished structure and that it blatantly disregards the agreed planning application. It appears to have been built on the boundary line and the roof and guttering actually extend above and over the neighbouring house.

The extension of the roof guttering over the neighbours' roof creates a terrible eyesore and is completely out of keeping and totally unnecessary.

No fair minded person could possibly think it is reasonable for the current structure to remain as it is, given the impact on the neighbouring house.

I cannot imaging that if the applicant was in their neighbours' shoes they would find this at all acceptable.

17 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 10th November 2020

The carport which has been constructed outside of the initial planning constraints appears too large and significantly too close to the neighbouring property to be fair to current residents. The roof appears to overhang the neighbours property. Number 26 Charlton Close should not be adversely affected by the builder contravening initial planning consent for their gain, and modification of the new building would be appropriate in my view .

Rede House  
23 Charlton Close  
Cheltenham  
Gloucestershire  
GL53 8DH

**Comments:** 23rd November 2020

The building recently altered at 24 Charlton Close bears little relation in size to the original application and as such is excessive and overbearing.

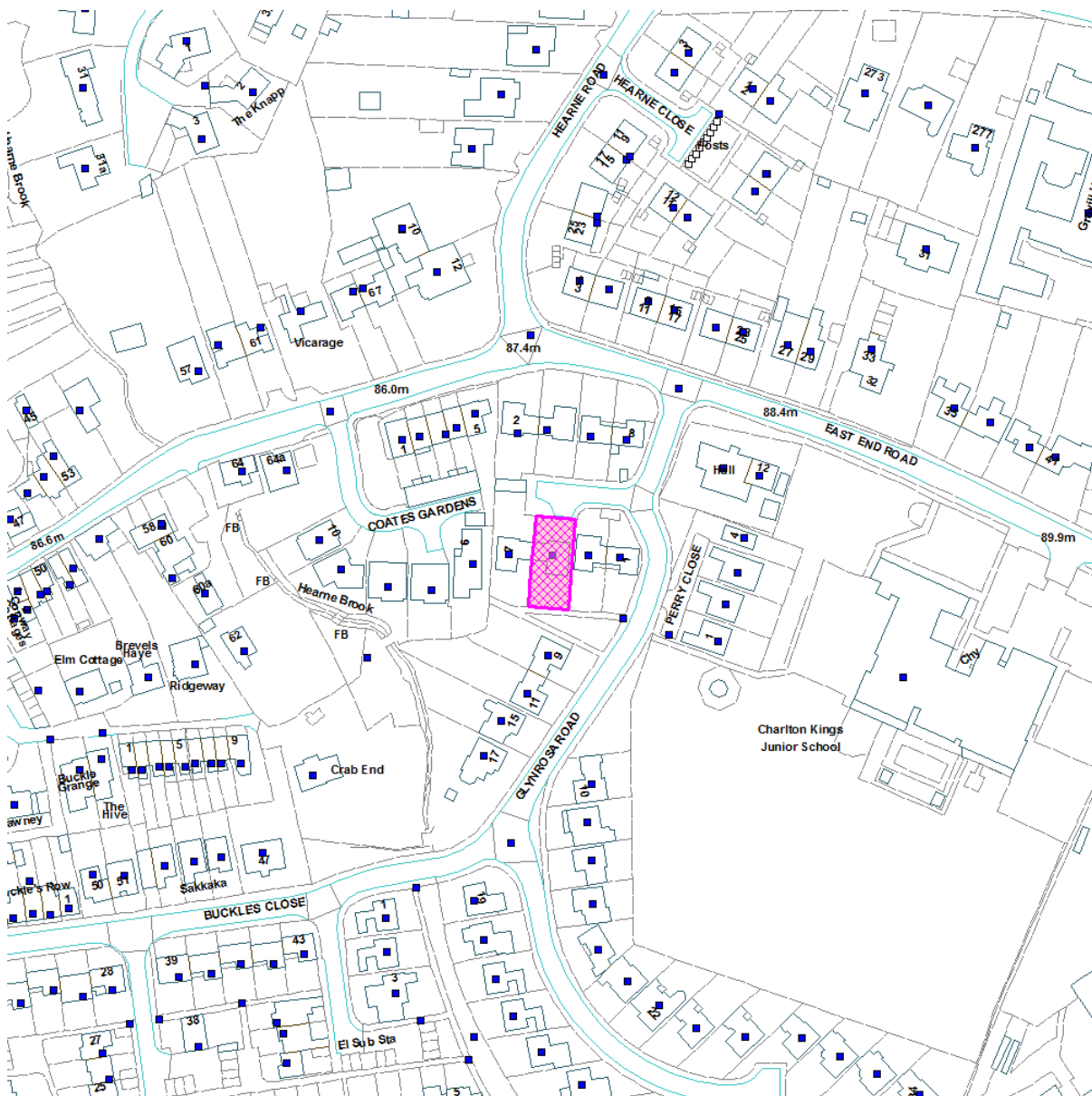
It has fundamentally affected the neighbouring property with the degree of encroachment.

Please request a revision to the build as originally proposed for the well being of the existing neighbours and deter such cavalier approaches to planning legislation.

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|---|---|
| <b>APPLICATION NO:</b> 20/01944/FUL   | <b>OFFICER:</b> Mr Ben Warren           |
| <b>DATE REGISTERED:</b> 6th November 2020   | <b>DATE OF EXPIRY:</b> 1st January 2021 |
| <b>DATE VALIDATED:</b> 6th November 2020  | <b>DATE OF SITE VISIT:</b>              |
| <b>WARD:</b> Charlton Kings   | <b>PARISH:</b> Charlton Kings           |
| <b>APPLICANT:</b> Mr Andy Train   |   |
| <b>AGENT:</b>   |   |
| <b>LOCATION:</b> 5 Glynrosa Road, Charlton Kings, Cheltenham  |   |
| <b>PROPOSAL:</b> Two storey front extension, single storey rear extension and first floor extension over garage |   |

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a link-detached property located within a residential area on Glynrosa Road.
- 1.2 The applicant is seeking planning permission for a two storey front extension, single storey rear extension and a first floor side extension over the existing garage.
- 1.3 The application is at committee at the request of Councillor McCloskey who raises concerns regarding the scale of the proposed development, subservience and the impact on the character of the surroundings. These concerns are also raised in a Parish Council objection.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

**15/00731/FUL 31st July 2015 PER**  
Erection of a 5ft feather edge fence

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 12 Achieving well-designed places

### **Adopted Cheltenham Plan Policies**

D1 Design  
SL1 Safe and sustainable living

### **Adopted Joint Core Strategy Policies**

SD4 Design Requirements  
SD14 Health and Environmental Quality

### **Supplementary Planning Guidance/Documents**

Residential Alterations and Extensions (2008)

## 4. CONSULTATIONS

### **Building Control**

*9th November 2020*

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

**Parish Council**  
*30th November 2020*

Objection:

The proposal represents overdevelopment of the property.

The extensions are not subservient to the original dwelling.

It will be overbearing to the neighbouring property.

The dwellings in the area are 'of a kind' and such a large transformation of one half of a link-detached property will be detrimental to the street scene.

## **5. PUBLICITY AND REPRESENTATIONS**

5.1 6 letters were sent to neighbouring properties and 2 letters of objection have been received in response to this neighbour consultation process. The concerns have been summarised but are not limited to the following:

- Visual impact
- Design
- Impact on character of the area
- Loss of light / loss of privacy / overbearing impact
- Highways/parking implications

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

6.2 The main considerations in relation to this application are the design, impact on the character of the area, and the impact of the proposal on neighbouring amenity.

6.3 The application site has been visited, site photos have been provided and google maps / google street view have been used to fully consider the proposed development.

### **6.4 The site and its context**

6.5 The existing building is a detached property linked to number 7 Glynrosa Road by attached single garages. The existing building is modern in design, has a rendered finish, with grey aluminium windows and doors.

6.6 The surrounding properties in this part of Glynrosa Road are all of a similar scale, form and design, although some of the properties have introduced modern materials, such as grey windows/doors and new timber cladding.

### **6.7 Design**

6.8 Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture and layout.

- 6.9 Adopted Cheltenham Plan Policy D1 requires extensions and alterations of existing buildings to avoid causing harm to the architectural integrity of the building or group of buildings.
- 6.10 JCS policy SD4 relates to design and identifies the key considerations to include context, character, legibility and identity, amenity and space.
- 6.11 Cheltenham's Supplementary Planning Document (SPD) – Residential Alterations and Extensions identifies that development should maintain character, achieve subservience, maintain space between buildings, maintain privacy and ensure adequate daylight is maintained.
- 6.12 The application proposes 3 main elements; a single storey rear extension, a two storey front extension and a first floor extension over the existing garage.
- 6.13 The proposed two storey front extension and first floor extension over the garage create a generous addition to the property, whilst subservience is specifically referenced in the SPD for semi-detached properties; this has also been considered for this application. The two storey front extension is set in from the shared boundary with number 7 Glynrosa Road and has a modest overall footprint. The first floor extension over the garage is set back from the rear elevation; the extension has a relatively low roof form and a lower ridge height than the existing building. For these reasons, the proposed extensions are considered to represent acceptable subservient additions and are not considered to amount to overdevelopment of the site. The single storey rear extension is a modest addition and is considered to be acceptable.
- 6.14 The design of the proposed additions is in keeping with the design and character of the existing building. Other than the introduction of vertical timber cladding to the proposed front extension, the proposed materials are to match the existing building, which is appropriate and acceptable. The introduction of timber cladding will reflect similar forms of cladding in the local area and is considered to be appropriate for the modern design of the property.
- 6.15 Whilst officers note the concerns of neighbours and the parish council with regard to impact on the surroundings, the proposed additions are considered to be an acceptable overall scale and form, in keeping with the design and character of the existing building and its surroundings. Therefore, it is not considered that the development will result in any unacceptable harm to the character of the area.
- 6.16 The proposal is considered to be compliant with the requirements of the Adopted Cheltenham Plan (2020) policy D1, adopted JCS policy SD4 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).
- 6.17 Impact on neighbouring property**
- 6.18 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.
- 6.19 The adjacent land user (7 Glynrosa Road) has raised concerns regarding a potential loss of light, loss of privacy and overbearing impact. With regards to light, there are two windows that serve habitable rooms that may be affected by the proposed development; these include a first floor side elevation window serving a bedroom and a ground floor window serving the lounge. However, both of these windows are secondary light sources; the main light source to these rooms are located in the rear elevation of the property and will be unaffected by the proposed development. Officers therefore do not consider the



proposed development to result in any unacceptable loss of light to this neighbouring property.

- 6.20 In terms of overbearing impact and overshadowing, due to the position of the garages, a gap of approximately 4.75 metres will remain between the proposed two storey front extension and the side of number 7 Glynrosa Road. In addition, the proposed extension does not project further than the rear elevation of the existing dwelling. Therefore, Officers do not consider that the development will result in any overbearing impact or result in any unacceptable over shadowing of this neighbouring property or garden.
- 6.21 With regards to privacy, the proposal does not include any new openings in the side elevation of the extension, all new openings are in the front and rear elevations and will overlook the applicants own land and amenity space. The proposal is therefore not considered to result in any unacceptable loss of privacy to any neighbouring land user.
- 6.22 A concern from number 4 East End Road has been raised regarding a loss of view as a result of the proposed side extension, whilst officers accept that the extension will be visible from this property, the loss of a view is not a material planning consideration. A gap will remain between the proposed extension and number 7 Glynrosa Road and therefore officers do not consider there to be any overbearing impact or unacceptable loss of outlook.
- 6.23 Concerns have been raised by the adjacent land user regarding a loss of parking provision. Whilst the proposal will result in the loss of an existing garage, sufficient off street parking can still be accommodated within the site and is therefore acceptable.
- 6.24 It is was also noted that the eaves and guttering of the proposed first floor side extension was overhanging the boundary line and was therefore not acceptable, revised plans have been submitted and show the width of the extension reduced to overcome this issue.
- 6.25 The proposal is considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14 which requires development to protect the existing amenity of neighbouring land users and the locality.

### 6.26 **Other considerations**

#### *Public Sector Equalities Duty (PSED)*

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1 Having considered all of the above, whilst the concerns of the local residents have been duly noted, officers consider the proposed development to be compliant with the adopted Cheltenham plan policies, adopted JCS policies and guidance within Cheltenham's Supplementary Planning Document – Residential Alterations and Extensions.
- 7.2 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 The external facing render and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

## INFORMATIVES

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

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

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

|   |  |  |  |
|---|--|--|--|
| <b>APPLICATION NO:</b> 20/01944/FUL       |  | <b>OFFICER:</b> Mr Ben Warren            |  |
| <b>DATE REGISTERED:</b> 6th November 2020 |  | <b>DATE OF EXPIRY :</b> 1st January 2021 |  |
| <b>WARD:</b> Charlton Kings               |  | <b>PARISH:</b> CHARLK                    |  |
| <b>APPLICANT:</b>                         | Mr Andy Train  |  |  |
| <b>LOCATION:</b>                          | 5 Glynrosa Road, Charlton Kings, Cheltenham  |  |  |
| <b>PROPOSAL:</b>                          | Two storey front extension, single storey rear extension and first floor extension over garage |  |  |

### REPRESENTATIONS

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

4 East End Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QD

**Comments:** 19th November 2020

Visual impact, will no longer be able to see the hills. The extension is too large and sets a precedent as my house is of the same design.

The maintenance of the rendered end wall can only be carried out by scaffolding &/or ladders on next doors property. The unlimited access this would require, is a step too far, and would seriously impede anything the neighbour would like to do in the future. The guttering overhangs the neighbours land meaning any overspill or leaks are also on their land.

7 Glynrosa Road  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8QR

**Comments:** 26th November 2020

Planning Objection

Reasons for objection:

1. The design of the proposed extension.
2. Impact upon the character of the surroundings.
3. Impact on occupier of 7 Glynrosa Road.
4. Highway impacts from reduction of in-curtilage parking.

Policy context

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted Dec 2017) Policy SD4: Design Requirements sets out detailed design guidelines. These include that "New development should respond positively to, and respect the character of, the site and its surroundings".

Cheltenham Local Plan (July 2020) Policy D1: Design states that "Development will only be permitted where it: a) adequately reflects principles of urban and architectural design; and b) complements and respects neighbouring development and the character of the locality and / or landscape". Policy SL1: Safe and Sustainable Living requires that development will only be permitted where it would "not cause unacceptable harm to the amenity of adjoining land users" and the policy also refers to "the principles of good design". In this respect Para 14.4. states the Council will have regard to matters including loss of daylight; loss of outlook; and loss of privacy.

Cheltenham Borough Council Supplementary Planning Document Residential Alterations and Extensions has been adopted by the Council and thus provides material planning guidance.

### 1. Design

The proposals include a large 2 storey extension that would significantly detract from the character of the existing dwelling. This is not proposed to be set back from the building line and includes a second pitched roof with a ridge of similar height to the ridge on the roof of the existing property. As such it is not subordinate in form to the existing dwelling. The Cheltenham Borough Council Supplementary Planning Document Residential Alterations and Extensions advises 'An extension should not dominate or detract from the original building, but play a 'supporting role'.

Object on the basis that the extension would be disproportionate in size and not subordinate in form to the existing property and would therefore significantly detract from the character of the existing dwelling. Contrary to JCS policy SD4, CLP Policy D1 and the Residential Alterations and Extensions SPD.

### 2. Impact on the character of the surroundings

Policy SD4: Design Requirements Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted Dec 2017) sets out detailed design guidelines. These include that "New development should respond positively to, and respect the character of, the site and its surroundings".

The application site is one of 8 properties around a cul-de-sac. All are of the same period creating a consistent local character in respect of the design scale and materials of the properties here. None of these surrounding dwellings have a large 2 storey extension of this nature. As such the proposals would fail to reflect the character of the surroundings and result in a discordant feature in an otherwise consistent group of buildings.

The proposed two storey extension would also extend up to the boundary of the neighbouring property at 7 Glynrosa Road. The Cheltenham Borough Council Supplementary Planning Document Residential Alterations and Extensions explains that space between semi-detached houses is essential to the character of streets but can be completely lost as a result of two storey side extensions and may produce a lopsided appearance. The guidance states "The Council may refuse permission for a proposed extension if an existing adjacent extension would make it impossible to achieve a visual gap between houses". The proposed two storey extension would infill the space between the two dwellings resulting in a significant detrimental visual impact upon the streetscene.

In addition, it is noted that the property at 5 Glynrosa Road is located on a cul-de-sac with vehicular access to one elevation but with a 'front' door located on the opposite elevation, accessible only by foot. Typically most access is taken via the cul de sac and the 'front' doors less often used. Whilst this may not be a traditional front elevation it is a layout commonly seen in 1960s and 1970s properties and it is evident that changes to this elevation a significant impact on the street scene as this is highly visible to neighbours and where most activity takes place. A well-designed extension is normally set back from the main elevation and the location of a single storey extension forward of the building line here is therefore objected to as this is not consistent with local character and will impact negatively upon the streetscene.

Object on the basis that the extension would have a detrimental impact on the character of the surroundings contrary to JCS policy SD4, CLP Policies D1 and SL1 and the Residential Alterations and Extensions SPD.

### 3. Impact on amenity of neighbouring property

Cheltenham Local Plan (July 2020) Policy SL1: Safe and Sustainable Living states that development will only be permitted where it would "not cause unacceptable harm to the amenity of adjoining land users". Para 14.4. states the Council will have regard to matters including "loss of daylight; loss of outlook; and loss of privacy".

The application site at 5 Glynrosa Road adjoins 7 Glynrosa Road. It sits immediately to the to the east and the proposed 2 storey extension up to the boundary would have an overbearing visual impact and result in significant overshadowing of 7 Glynrosa Road at earlier times of day and certain times of the year. The proposal will therefore have a significant harmful impact on the residential amenity of 7 Glynrosa Road including in respect of loss of daylight, loss of outlook and loss of privacy. It is also noted that the occupier of 7 Glynrosa road spends much time at the property and the size and position of the proposed extension would have a particularly significant impact upon her day-to-day enjoyment of her property.

Object on the basis that the extension would have a detrimental impact on the amenity of neighbouring property contrary to CLP Policies D1 and SL1 and the Residential Alterations and Extensions SPD.

### 4. Highways impacts from loss of in-curtilage parking

The application site at 5 Glynrosa Road currently has on-site parking with a gated driveway. The application drawings show a single storey ground floor extension located on part of the current driveway. The proposal is therefore likely to lead to an increase in on-street parking.

The application site is in close proximity to Charlton Kings Junior School at East End Road, with Glynrosa Road forming an adjacent side street. Traffic and parking issues associated with school collection and drop off clearly occur here, as is evidenced by the 'School Keep Clear' markings which extend up Glynrosa Road from the junction with East End Road and into the cul-de-sac where the application site is located.

Increased parking off-site occurring as a result of the proposed development is therefore likely to exacerbate the existing traffic and parking issues that occur. Parking in the turning head in particular is likely to impact upon the safe and efficient function of the highway in this location.

Object on basis of unacceptable highways impact contrary to JCS Policy INF1: Transport Network and para 109 of the National Planning Policy Framework.

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| <b>APPLICATION NO:</b> 20/01509/LBC        | <b>OFFICER:</b> Mr Nikita Hooper   |
| <b>DATE REGISTERED:</b> 12th November 2020 | <b>DATE OF EXPIRY:</b> 7th January 2021  |
| <b>DATE VALIDATED:</b> 12th November 2020  | <b>DATE OF SITE VISIT:</b> N/A   |
| <b>WARD:</b> Pittville                     | <b>PARISH:</b>   |
| <b>APPLICANT:</b>                          | Cheltenham Borough Homes   |
| <b>AGENT:</b>                              |  |
| <b>LOCATION:</b>                           | 105 Winchcombe Street, Cheltenham, Gloucestershire   |
| <b>PROPOSAL:</b>                           | Installation of two box gutters to gable of 105 Winchcombe Street, and fitting of new lead valleys |

**RECOMMENDATION:** Grant



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 105 and 107 Winchcombe Street form a pair of terraced buildings, with No.105 being at the end (south-west). Both are comprised of flats (4no. in each).
- 1.2 (The applicant has stated that the adjacent property (Robert Harvey House), immediately to the south-west of the proposal site, is owned by Cheltenham Borough Council and managed by Cheltenham Borough Homes).
- 1.3 Installation of two box gutters to gable of 105 Winchcombe Street, and fitting of new lead valleys [for clarity No.107 forms part of the proposal site].
- 1.4 (From section 3 of the application form (description of proposed work) – “Installation of 2 box gutters to gable of 105 Winchcombe Street and new raised valley gutters to 105 & 107 Winchcombe Street).
- 1.5 (The (revised) Heritage Statement states at “Proposed Works” that the “rainwater pipes...will discharge into a surface drain at the base of No. 105 Winchcombe Street gable wall)
- 1.6 Planning Officers agreed that the scheme does not require planning permission.
- 1.7 The application is before Planning Committee as the applicant is Cheltenham Borough Homes, who are responsible for the management and maintenance of Cheltenham Borough Council’s housing stock.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Airport Safeguarding over 45m  
Conservation Area  
Listed Buildings Grade 2  
Principal Urban Area  
Residents Associations  
Smoke Control Order

### Relevant Planning History:

**90/00528/PF 28th June 1990 PER**  
Installation of Satellite Dish

**90/00533/LA 28th June 1990 PER**  
Installation of Satellite Dish

**15/01662/LBC 23rd October 2015 GRANT**  
Replacement of existing internal flat entrance doors (105 Winchcombe Street Flats B,C,D and 107 Winchcombe Street Flats B,C,D)

**18/02419/LBC 22nd January 2019 WDN**  
Structural repair to brick vaults below rear access walkway

**19/00131/FUL 21st March 2019 PER**  
Structural repair to brick vaults below rear access walkway



**19/00131/LBC 21st March 2019 GRANT**

Structural repair to brick vaults below rear access walkway

**20/00035/LBC 24th June 2020 GRANT**

105 and 107 Winchcombe - Re-roofing, render repairs to chimney stack, repairs to frontage, window repairs and internal plaster repairs/decoration and various internal structural repairs

**20/01509/FUL 18th September 2020 NOTREQ**

Installation of two box gutters to gable of 105 Winchcombe Street, and fittings of new lead valleys

### **3. POLICIES AND GUIDANCE**

#### **National Planning Policy Framework**

Section 16 Conserving and enhancing the historic environment

#### **Saved Local Plan Policies**

Not applicable

#### **Adopted Cheltenham Plan Policies**

Not applicable

#### **Adopted Joint Core Strategy Policies**

SD8 Historic Environment

#### **Supplementary Planning Guidance/Documents**

Not applicable

### **4. PUBLICITY AND REPRESENTATIONS**

|                         |           |
|-------------------------|-----------|
| Number of letters sent  | <b>37</b> |
| Total comments received | <b>0</b>  |
| Number of objections    | <b>0</b>  |
| Number of supporting    | <b>0</b>  |
| General comment         | <b>0</b>  |

**4.1** A site notice was displayed and the application listed in the Gloucestershire Echo.

**4.2** It should be noted that the site notice does not expire until 23 December 2020 as there was a delay in its display. It was agreed in liaison with the Head of Planning that the scheme would be presented to committee in order, if approved, to keep the proposed works on schedule. Given this, if the application is given consent by members, no formal decision will be issued until after the consultation period has ended and if any material comments are received prior to expiry then the Chair and Vice-Chair will be approached for a final decision.

## 5. OFFICER COMMENTS

- 5.1 The consideration of the scheme is undertaken as a desk based assessment.
- 5.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant listed building consent to “have special regard to the desirability of preserving the building...or any features of special architectural or historic interest which it possesses.”
- 5.3 Paragraph 184 of the National Planning Policy Framework 2019 (NPPF) states that “Heritage assets...are an irreplaceable resource, and should be conserved in a manner appropriate to their significance”.
- 5.4 Policy SD8 (Historic Environment) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2013 (adopted December 2017) (JCS) states that “Designated...heritage assets and their settings will be conserved and enhanced as appropriate to their significance.”
- 5.5 The buildings form a pair of houses that were constructed c.1820-1834 (they are depicted on H.S Merrett’s 1834 plan of Cheltenham. Listed (Grade II) on 12 March 1955. List entry number: 1388230.
- 5.6 The scheme will not detract from the evidential or architectural value of the buildings and therefore their significance will be maintained.

## 6. Public Sector Equalities Duty (PSED)

- 6.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
  - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
  - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 6.2 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this application the planning authority has taken into consideration the requirements of the PSED.
- 6.3 In the context of the above PSED duties, this proposal is considered to be acceptable.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1 The scheme will not be detrimental to the significance of the listed buildings as their architectural and evidential value will remain. Therefore, subject to conditions it is recommended that consent is granted (subject to the terms of paragraph 4.2 as above).

## 8. CONDITIONS / INFORMATIVES

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

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

## INFORMATIVES

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

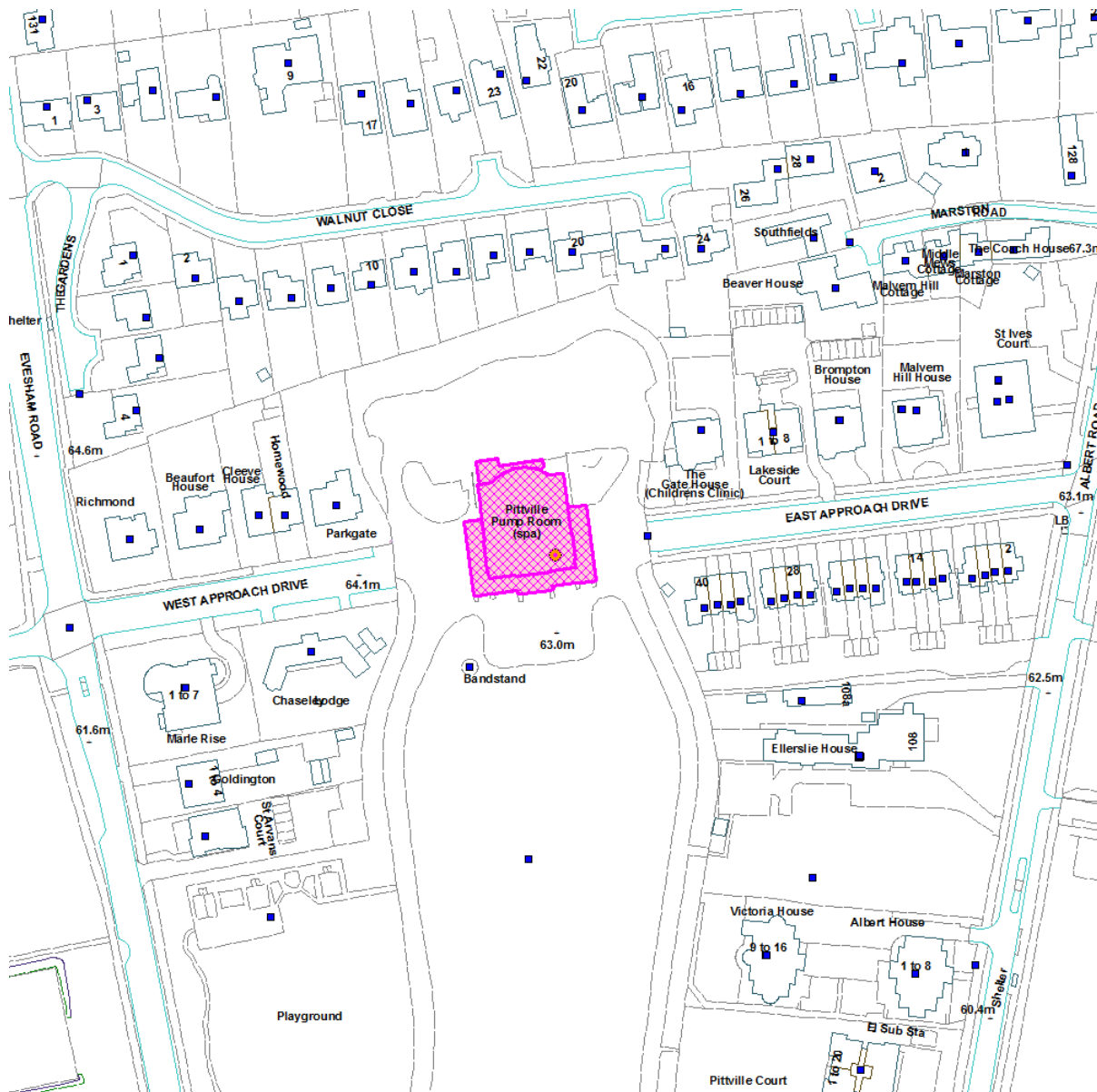
At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in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

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

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|   |   |
|---|---|
| <b>APPLICATION NO:</b> 20/01702/LBC       | <b>OFFICER:</b> Mr Chris Morris                             |
| <b>DATE REGISTERED:</b> 31st October 2020 | <b>DATE OF EXPIRY:</b> 26th December 2020                   |
| <b>DATE VALIDATED:</b> 31st October 2020  | <b>DATE OF SITE VISIT:</b>                                  |
| <b>WARD:</b> Pittville                    | <b>PARISH:</b>  |
| <b>APPLICANT:</b>                         | Cheltenham Borough Council                                  |
| <b>AGENT:</b>                             |   |
| <b>LOCATION:</b>                          | Pittville Pump Room, East Approach Drive, Cheltenham        |
| <b>PROPOSAL:</b>                          | Investigate survey to open up three sections of the balcony |

**RECOMMENDATION:** Grant



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Pittville Pump Room is a grade II listed building within Pittville Park, a grade II listed Park and Garden. It is also within the Central Conservation Area: Pittville Park Character Area.
- 1.2 The proposed works are for the temporary opening up of three sections of modern fabric around the balcony on the west elevation to assess the damage to the fabric as a result of water ingress.
- 1.3 The works are required to come to Planning Committee due to the building being in the ownership of Cheltenham Borough Council and therefore falling outside the agreed scheme of delegation.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Conservation Area  
Listed Buildings Grade 1  
Principal Urban Area

### Relevant Planning History:

**03/00867/LBC 1st October 2003 GRANT**

Installation of lightning conductor system to BS 6515:1999

**03/01162/LBC 21st October 2003 WDN**

Refurbishment to box office in foyer. Internal work

**03/01163/LBC 21st October 2003 WDN**

Installation of modern catering kitchen, re-plastering throughout (no alteration to vent or water routing/waste)

**04/00117/LBC 6th April 2004 GRANT**

Installation of modern catering kitchen, repairs to plaster. New extract vent at roof level no alteration to water routing/waste

**04/00118/LBC 6th April 2004 GRANT**

Refurbishment to box office in foyer (all internal work)

**85/00064/LS 27th June 1985 PER**

Pittville Pump Room Car Park Cheltenham Gloucestershire - Erection Of 6 Light Standards

**87/00218/LS 26th March 1987 PER**

Pittville Pump Room Cheltenham Gloucestershire - Alteration To Widen Existing Pair Of Doors Serving Chair Store

**87/01249/AN 17th December 1987 REF**

Pittville Pump Rooms Cheltenham Gloucestershire - Display Of Non Illuminated Advertisement

**96/01060/LA 20th February 1997 WDN**

Attachment Of Brackets Supporting Cameras To First Floor Window Ledge At Rear Of Building To Increase Security Of Public Car Parking Area

**98/01136/LA 11th February 1999 WDN**

Repainting Of Interior Of The Oval Room

**04/00719/LBC 3rd August 2004 GRANT**

Installation of a new lift and associated internal alterations

**04/00926/LBC 1st July 2004 PGOSW**

Replacement of failed render with stone above lead flashing detail on south elevation at first floor level

**05/00938/FUL 21st July 2005 WDN**

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park

**05/00939/LBC 18th July 2005 WDN**

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park

**05/01664/FUL 27th June 2006 WDN**

New gates and railings at East Approach and West Approach entrances to Pittville Pump Room and Park

**05/01665/LBC 27th June 2006 WDN**

New gates and railings at East Approach and West Approach entrances to Pittville Pump Rooms and Park.

**06/00700/LBC 22nd June 2006 WDN**

Automation of principal entrance doors to improve disabled access including installation of external barriers

**07/00361/FUL 25th May 2007 PER**

New gates and railings at East Approach entrance and West Approach entrance to Pittville Pump Rooms and park

**07/00362/LBC 25th May 2007 GRANT**

New gates and railings at East Approach entrance and West approach entrance to Pittville Pump Rooms and park

**07/01529/LBC 22nd January 2008 GRANT**

Removal of maple boarding on battens laid over original pine boarding and replacement with oak boarding on plywood underlayment over pine boarding, with reinstatement of existing heating system to Main Hall and Spa Room and addition of solar panel assembly mounted on external parapetted flat roof over Oval Room

**08/01485/LBC 12th January 2009 GRANT**

Internal redecoration of the first floor rooms, the ground floor entrance foyer and the second staircase together with minor building works, and reinstatement of fittings relevant to the rooms being decorated

**10/00064/LBC 13th April 2010 GRANT**

Relocation of partition wall within rear chair store and modifications to chair store entrance

**83/01243/LA 26th January 1984 GRANT**

Internal alterations to partition off female WC and provision of separate uni-sex disabled WC

**82/01181/LA 29th April 1982 GRANT**

Alterations comprising 2 decorative gates to East and West balconies, a partition to the head of the West stair and a partition beneath secondary staircase at first floor level

**16/01291/LBC 23rd September 2016 GRANT**  
Replace internal door at Pittville Pump Room

**16/01590/CLBW 22nd September 2016 CERTPU**  
Replacement doors to gas meter cupboard

**17/00183/CLBW 20th February 2017 CERTPU**  
Upgrade existing doors to fire doors

**18/02136/LBC 21st December 2018 GRANT**  
Replacement of third decayed timber to dome at top of building with new.

**19/00485/LBC 4th June 2019 GRANT**  
To remove abestos cement promenade tiles from the flat roof to the rear of the Pittville Pump Rooms 1960 extension, repair existing ashphelt covering and overlay with liquard applied waterproof membrane colour to match existing, renew 10 nr circular skylights using white GPP to match existing profiles, with triple skin polycarbonate skin to adjacent existing leads and copper flashings to suit

**20/01899/LBC INV**  
Installation of 8no. speakers located under the colonnade to supply music and announcements to the colonnade area of the Pump Rooms.

### **3. POLICIES AND GUIDANCE**

#### **National Planning Policy Framework**

Section 16 Conserving and enhancing the historic environment

#### **Saved Local Plan Policies**

Not applicable.

#### **Adopted Cheltenham Plan Policies**

Not applicable.

#### **Adopted Joint Core Strategy Policies**

SD8 Historic Environment

#### **Supplementary Planning Guidance/Documents**

Not applicable.

### **4. CONSULTATIONS**

**Historic England**  
*12th November 2020*

Thank you for your letter of 4 November 2020 regarding the above application for listed building consent. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.



It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

### **Building Control**

*6th November 2020*

No comments to be made.

## **5. PUBLICITY AND REPRESENTATIONS**

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

- 5.1** An advertisement was placed in the Gloucestershire Echo and a site notice was erected in close proximity to the site.
- 5.2** No comments were received.

## **6. OFFICER COMMENTS**

- 6.1** As a Cheltenham Borough Council owned building the works falling outside the agreed scheme of delegation and therefore are required to be considered at Planning Committee.
- 6.2** It is important to consider the policy context in which the proposal needs to be considered. The cornerstone of heritage legislation is the Planning (Listed buildings and Conservation Area) Act 1990, Section 16(2) which requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. A core principle of the National Planning Policy Framework 2019 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 193-196 set out the framework for decision making with applications relating to heritage assets. This assessment takes account of the relevant considerations in these paragraphs, including paragraph 192 of the NPPF which requires the significance of heritage assets to be sustained and enhanced, with paragraph 193 requiring great weight be given to the asset's conservation.
- 6.3** The proposed works are for the temporary opening up of three sections of modern fabric around the balcony on the west elevation. The three areas to be surveyed are described within the application as the underside of the portico area, the opening up of a small part of the balcony deck and opening up along the edge between the balcony roof and wall to the main building. These areas are shown in the submitted elevations and floor plans.
- 6.4** No historic fabric will be affected by the proposed works, the materials to be removed to allow for the opening up are fibre board with a painted finish with some timber moulding detail to the edges all dating from the 1960s.
- 6.5** The opening up works are necessary to assess the damage to the fabric as a result of water ingress. A further listed building consent application will be forthcoming for repair works once the investigation associated with the opening up works has concluded.

- 6.6 The proposed works are considered essential for the good maintenance of the listed building. The proposed works are considered to be in the interests of sustaining the listed building and therefore comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework and Policy SD8 of the Joint Core Strategy 2017.

## 7 CONCLUSION AND RECOMMENDATION

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

## 8 CONDITIONS / INFORMATIVES

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

Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building unless otherwise agreed with the local planning authority.

Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 of the National Planning Policy Framework and Historic Environment Good Practice Advice (note 2).

## INFORMATIVES

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

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

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

**Appeals Lodged Nov/Dec 2020**

| <b>Address</b>  | <b>Proposal</b>   | <b>Delegated or Committee Decision</b> | <b>Appeal Type</b>      | <b>Anticipated Appeal Determination Date</b> | <b>Reference</b>   |
|---|---|--|-------------------------|--|--|
| Apartment 7<br>North Hall<br>Pittville Circus Road<br>Cheltenham<br>Gloucestershire<br>GL52 2QU | Replace 2 existing single glazed sash windows with uPVC double glazed sash windows at the front of the building                   | Delegated Decision                     | Written representations | January 2021                                 | Planning ref: 20/00831/FUL<br>Appeal<br>Ref:20/00020/PP1 |
| Land Adjacent To<br>Oakhurst Rise<br>Cheltenham<br>Gloucestershire                              | Outline application for 43 dwellings including access, layout and scale, with all other matters reserved for future consideration | Committee Decision                     | Public Inquiry          | May 2021                                     | Planning ref: 20/00683/OUT<br>Appeal ref: 20/00021/PP1   |
| 452 High Street<br>Cheltenham<br>Gloucestershire<br>GL50 3JA                                    | Replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display  | Delegated Decision                     | Written representations | February 2021                                | Planning ref: 20/01442/ADV<br>Appeal ref: 20/00022/ADV1  |

### Appeals Determined

| Address  | Proposal   | Delegated/Committee Decision | Appeal Type            | Outcome          | Reference  |
|--|--|------------------------------|------------------------|------------------|--|
| Kyle Lodge<br>Greenway Lane<br>Charlton Kings<br>Cheltenham<br>Gloucestershire<br>GL52 6PN | Construction of a single 5-bedroom self and custom build dwelling with associated buildings, landscaping, works and infrastructure | Committee Decision           | Written representation | Appeal Dismissed | Planning ref:<br>19/02449/FUL<br>Appeal ref:<br>20/00016/PP1 |

Authorised By: Mike Holmes