



CHELTENHAM BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 25 March 2021
2.00 pm

Virtual WEBEX video conference via the Council's YouTube Channel:
www.youtube.com/user/cheltenhamborough

Membership	
Councillors:	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. **MINUTES OF LAST MEETING** (Pages 3 - 8)
Minutes of the meeting held on 11 February 2021
3. **DECLARATIONS OF INTEREST**
4. **DECLARATIONS OF INDEPENDENT SITE VISITS**
5. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**

Planning Committee

Thursday, 11th February, 2021

2.00 - 3.35 pm

Attendees	
Councillors:	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
Officers in Attendance:	Daniel O'Neill (Planning Officer), Mike Holmes (Interim Head of Planning) and Nick Jonathan (Solicitor)

1. Apologies

There were none.

2. Declarations of Interest

Cllr Barrell declared an interest in item 5b, being ward councillor for that area.

The Chair stated that with regard to item 5c the applicant was a member of the council and thus unless a member had a particular reason to declare a personal interest it was accepted that members did not have to declare an interest other than to acknowledge it was an application by a Borough Councillor.

3. Declarations of independent site visits

Cllr Cooke had visited the Adey site and passed by Gratton Street.

Cllr Seacome had visited the outside of Gratton Street.

Cllr Barrell had visited the outside front of Gratton Street.

Cllr Oliver had visited the Adey site and Gratton Street, but stated it was impossible to see the area concerned at Gratton Street due to a very high fence.

Cllr McCloskey had visited all three sites.

Cllr Barnes knew the Adey site but had not visited the other two.

4. Minutes of last meeting

The minutes of the meeting held on 21 January 2021 were approved and signed as a true record.

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

6. 20/02249/FUL Adey, Gloucester Road, GL51 8NR

The Planning Officer presented the report relating to the insertion of windows into the building of Adey Ltd, Gloucester Road.

Councillor Willingham as ward member was invited to address the committee and made the following points:

- He did not wish to support a refusal, but to ask the committee to add one extra planning condition, that being to require frosted glass in the windows on the elevations facing Cobblestone Way and The Crescent.

- Every single objection related to being overlooked and loss of privacy and this condition would give due regard to the residents' Right to Privacy and Right to Peaceful Enjoyment.
- Being overlooked and invading privacy, breached residents' basic human rights, but with this simple win-win condition the applicant could have their windows and the residents would have a greater feeling of privacy.

In response to members' questions, the Planning Officer confirmed:-

- The direction of elevation on the plans had been incorrectly annotated.
- The ground floor windows were approximately 16.2m to the rear elevation of The Crescent as it bends and approximately 9.3 m to the boundary wall and just less than 5m to the rear boundaries in Cobblestone Way.
- All ground floor windows were permitted under permitted development rights.
- Comments from the Police no longer appeared in reports due to the reduction in crime liaison officers, so schemes were prioritised, so there was no advice from a security point of view on the type of glass to be used.
- The applicant's building was there when the Travis Perkins site was being re-developed for housing and it was the same business as in 2009 when it was permitted B1 office with light industrial use and again in 2013 upon purchasing car show room on that site it was also permitted B1 usage.
- The windows were being put in for existing office use to provide natural light and outlook. Obscured glass was discussed with the applicant, but the applicant was not forthcoming with this proposal.

During the member debate the following points were made:-

- Concern from a security point of view that glass at ground level needed to be of a different specification and that this security point was not being addressed by the Police.
- The applicant was a good local employer trying to make the working conditions for its employees better with more daylight.
- Internet research highlights the benefits of daylight for office workers, but whether that from clear or frosted windows probably did not matter, and the outlook to a high fence was probably also not that beneficial.
- Important to encourage local employers to stay in town and so needed to balance business and residential needs, ie. nice to look out of an office window verses loss of privacy of nearby residents.
- Frosted windows would still give daylight, maybe with an opening for fresh air and hoped employer would be amenable to this.

There being no further comments or questions the Chair moved to vote on the addition of the extra condition for the requirement for frosted glass.

For : 11

Against : 0

Abstain : 0

Agreed unanimously

The Chair moved to vote on the motion to permit with the added condition as above.

For : 11

Against : 0

Abstain : 0

PERMITTED unanimously

7. 20/02138/FUL 14 Gratton Street, Cheltenham GL50 2AS

The Planning Officer presented the report relating to a single storey rear extension and front basement extension to a mid-terraced property at 14 Gratton Street. The application was at committee at the request of the ward councillor who wished members to consider the impact of the proposed rear extension on No13 Gratton Street.

Members asked the Officer several questions, so the Officer shared the plans again and outlined the proposed new extension and the location of the neighbour's garden. The Officer confirmed it was a single storey extension with a pitched roof.

The Officer confirmed:-

- The depth of the extension was still the same as the original application but the position of the wall had moved in from the shared boundary by 1.8metres but all other measurements were the same.
- The proposal had not failed any light tests to any habitable rooms, but Officers had felt the impact on the neighbours small courtyard was unacceptable in the first application, so the solution was to pull away from the shared boundary to reduce the overbearing impact. The Officer also pointed out that there were steps down from the neighbour's property into the courtyard, which added to the overbearing impact.
- With regard to the front basement extension, there were stairs going down to a courtyard at the front and the applicant proposed to infill that to create the extension but to still retain a light well.
- The garden of No.13 was much less in length than the applicant's garden, it did not run the full length of No.14's garden.
- The courtyard was south facing.
- A member questioned the impact in planning terms on a garden space versus a living space, the Officer stated that originally the impact was too much but by moving the wall in 1.8m this was acceptable.
- The depth of the step from the ground floor of the neighbour's property to the courtyard floor was probably around 400mm. The Officer did not have an exact measurement but said it was not a huge difference.

Members stressed how difficult it was to visualise and understand the site and situation without site visits and as members were finding it difficult to envisage the site the Officer showed the photos again and explained the layout of the neighbour's courtyard garden. Members remarked site visits were vital.

A member suggested viewing the location on Google Earth which the Officer did and this clarified the position to members.

During member debate the following points were made:-

- Appreciate that the applicant had made an effort to move the boundary, but as the extension was going to be the whole length of neighbours garden and the height was still the same, it will still have an overbearing impact on the neighbour's small courtyard with loss of outlook.
- Difficulty in envisaging applications properly when unable to do site visits.
- The rear extension of No 13 has a similar impact on the courtyard of its neighbour but that already built a long time ago.
- Architects had tried to come up with a compromise – was there any room for a further compromise, such as a lower flat roof.
- If considering the garden plot at No.14 in isolation then it was not overdeveloped, think what proposed was reasonable although not ideal. No.13 had put a building in half their garden space, if they hadn't they would have had more garden. A flat roof would also be more ideal.

- Not applicant's fault that neighbour has a small garden.
- Photos on Google Oarth were much better than anything else for illustration purposes when site visits could not be done. Request to include such images in the papers in future.
- Not having seen it find it difficult to endorse – it is the entire length of the neighbour's garden and will have an impact on their amenity and outdoor space.

In response to member's subsequent questions the Officer hoped that they would be able to include Google Earth images in presentations if members so wished but also suggested Members could look themselves prior to committee. He was also not sure if a flat roof would be better or lower because of the existing lean to roof.

There being no further questions or comments, the Chair moved to vote on the substantive motion to permit as per the Officer's recommendation.

For : 6

Against : 5

Abstain : 0

PERMITTED

8. 20/01914/FUL 4 Graduate Court, Cheltenham GL51 8PE

The Planning Officer presented the report relating to the erection of a cat cage. The application is retrospective and was at committee as the applicant is a member of Cheltenham Borough Council.

In response to members' questions, the Planning Officer confirmed:-

- That the cat cage was covered with a waterproof transparent material, like plastic sheeting.
- It was a retrospective application as the applicant had erected the cat cage and a neighbour then contacted planning enforcement. As it was attached to the rear elevation it had to be considered as an extension with planning permission.
- It was not allowed under permitted development rights as it was more than 0.5m in depth than was allowed under permitted development.
- If the cat cage had not been attached to the rear and was more than 50mm away from the rear as a separate out building, the height and scale of the design could have been allowed under permitted development, but as it was bolted to the wall it had to be considered.
- He was unable to confirm the height of dog kennels in other properties, but said it was likely they were permitted development, as they can go up to 2.5m in a separate outbuilding. The cat cage is approximately 2.4m high, however about 0.5m too deep for permitted development, so it had to be treated as an extension.
- On a query as to whether the cage was 0.5 m too high or 0.5 m too deep, the Officer explained that as the structure was bolted to rear elevation the depth / length of it was 3.5 metres so that was 0.5m more than allowed on permitted development. But the height was 2.4 metres and that would be allowed on any extension or out-building.
- The cat cage could be used for human use, but the Officer's consideration was relating to the design and impact on neighbours.

During the member debate the following points were made:-

- Saddened by the comments of the neighbours and was the correct process followed in view of fact applicant was a Borough Councillor. Request that look into how member/officer applications are dealt with by the committee.

- All objections were very similar and felt they might be politically motivated, as similar posts had been made on social media. Shows ignorance and lack of understanding of planning process. Need a process to ensure this doesn't happen when an applicant is a Borough member. Disappointed by comments made but know can't get involved in emotive stuff and need to follow planning guidelines.
- A cage implied an open structure and as it was approx. 6 ft in height and had tables and chairs inside, sceptical that more for human habitation. Another member objected to this as the applicant could sit inside to be with the cats.
- Usually sceptical of retrospective planning applications, but most likely applicant thought this could be done under permitted development.
- There was a comment about the cat cage being illuminated at night time, however the Chair pointed out that lights were not a planning concern.
- What was the significance of it being labelled as a cat cage? The Officer replied this was how the application was submitted and confirmed it could be used for a dog or for storage.

There being no further comments or questions the Chair moved to vote on the substantive motion to permit as per the Officer's recommendation.

For : 9

Against : 0

Abstain : 2

PERMITTED

9. Appeal Updates

There were no appeal updates.

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

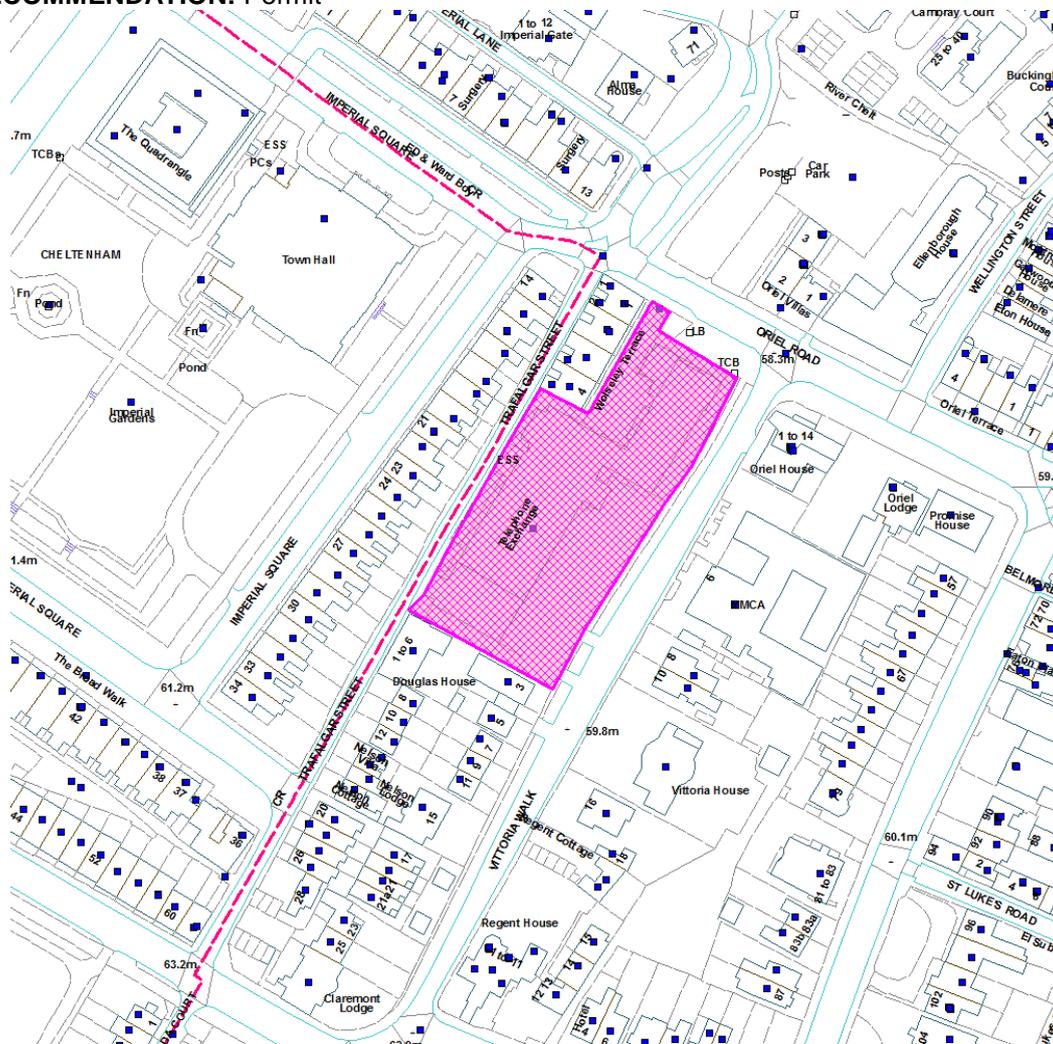
There were none.

Chairman

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APPLICATION NO: 20/01680/FUL		OFFICER: Mr Daniel O Neill
DATE REGISTERED: 29th September 2020		DATE OF EXPIRY: 24th November 2020
DATE VALIDATED: 29th September 2020		DATE OF SITE VISIT:
WARD: College		PARISH:
APPLICANT:	The Applicant	
AGENT:	CBRE	
LOCATION:	British Telecom, Oriel Road, Cheltenham	
PROPOSAL:	New sliding vehicle access gate to Oriel Road, replacement of existing gate to Vittoria Walk and new metal railings on top of existing low level brick wall to achieve an overall height of 1.6m, as well as 1.2m railings opposite Wolsey Terrace.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site, known as British Telecom building, is a large office commercial building at the corner of Oriel Road and Vittoria Walk. The main access to the site is from Oriel Road with additional access from Vittoria Walk. The site is located within the Montpelier Character Area of the Central Conservation Area.
- 1.2 The applicant is seeking planning permission for a new sliding vehicle access gate to Oriel Road, replacement of existing gate to Vittoria Walk and new metal railings on top of existing low level brick wall to achieve an overall height of 1.6m, as well as 1.2m railings opposite Wolseley Terrace.
- 1.3 The application is at the request of planning committee due to the impact on the conservation area, listed building and design approach.
- 1.4 The application was deferred by members at the January planning committee (21 January 2021) for further revisions and further justification. Revised plans have been submitted and officers have taken these into consideration.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Core Commercial Area
Flood Zone 2
Principal Urban Area
Smoke Control Order

Relevant Planning History:

00/01146/GDO28 WDN

Installation of mast, antenna, equipment cabin and development ancillary thereto (Formally British Telecom)

00/01322/FUL 29th January 2001 PER

Installation of telecommunications base station at roof level (Formally British Telecom)

00/01339/FUL 29th December 2000 PER

To form a new enclosure within the existing building and addition of a 5.0 metre mast for CCTV camera (Revised Plans) (Formally British Telecom)

01/00676/FUL 27th June 2001 PER

Alteration of existing elevation to provide new doors and ventilation louvre

01/01154/FUL 17th December 2001 PER

Construction of telecommunications base station at roof level. Installation of 3 no. antennae and 3 no. dishes and equipment cabin (Revised)

02/00941/FUL 29th July 2002 PER

Removal of 2 no. window panes and their replacement with 2 no. aluminium louvres coloured bronze to match existing louvres

02/01455/FUL 18th December 2002 REF

Installation of a 5m stub tower and equipment cabin behind a steel and GRP screen with 6no. antennae, 2no. dishes, associated cabling and other ancilliary works

85/00776/PF 18th September 1985 WDN

Cheltenham Telephone Exchange Cheltenham Gloucestershire - Erection Of Roof-Mounted 1.8m Diameter Dish Aerial To Create A Radio Link With Gloucester Between August 1985 and March 1987

86/00882/PF 25th September 1986 PER

Cheltenham Telephone Exchange Cheltenham Gloucestershire - Alterations To Elevation To Provide Emergency Exit And Laying Out Of Car Parking Area

86/01402/PF 22nd January 1987 PER

Cheltenham Telephone Exchange Cheltenham Gloucestershire - Alteration To Car Park Entrance To Improve Visibility And Safety Of Pedestrians Using Footpath

88/01032/PF 25th August 1988 PER

Cheltenham Telephone Exchange Cheltenham Gloucestershire - Provision Of New Fire Escape Door In Existing Stair Tower In Accordance With The Additional Plans Received On 5th August 1988

88/01649/PF 15th December 1988 PER

Installation Of Temporary Containerised Telephone Exchange For A Period Of 12 Months

04/00390/FUL 20th April 2004 PER

Installation of 3 pole mounted antennas on two poles, 1 face mounted antenna and 1 pole mounted dish antenna, 6 pack equipment cabinets, cabling and other ancillary works. Re-positioning of existing telecommunications pole and antenna

05/01329/FUL 14th October 2005 PER

Replace three windows with air inlet louvres to Vittoria Walk elevation

12/00880/FUL 6th August 2012 PER

Proposed installation of a ventilation louvre on the ground floor, to replace existing glazing

13/00637/FUL 23rd August 2013 PER

Installation of 6no. air conditioning units on roof

77/00664/PF 11th August 1977 PER

New boundary walls and barrier

77/00665/PF 7th September 1977 PER

Alteration to gates and fence

84/01365/LA 26th January 1984 GRANT

Demolition of unused telephone exchange

13/01492/DISCON 26th September 2013 DISCHA

Discharge of conditions on planning permission ref: 13/00637/FUL - Condition 2) Colour finishes of the equipment

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

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

4. CONSULTATIONS

Building Control

1st October 2020

No comments to be made.

Heritage And Conservation

19th January 2021

Significance

The proposal site is situated in the Central Conservation Area (Montpellier Character Area); a designated heritage asset (the Conservation Area was designated by Gloucestershire County Council on 28 May 1973 and its boundary extended by Cheltenham Borough Council on 14 August 1987).

Immediately to the north-west of the site is Wolseley Terrace (incorporating Wolseley House), a terrace of four houses that was constructed c.1834; it appears on H.S Merrett's 1834 plan of Cheltenham. Listed on 31 July 1970 (Grade II); list entry number: 1387385. Other listed buildings are located in the vicinity, including but not limited to Oriel Villas to the north-east and the YMCA building to the south-east.

Legislation and policy

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant planning permission, to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering whether to grant planning permission with respect to any building or land in a conservation area, to pay special attention "to the desirability of preserving or enhancing the character or appearance of that area."

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".

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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."

Consideration

The consideration of the scheme is undertaken as a desk based assessment.

The application does not "describe the significance of any heritage assets affected, including any contribution made by their setting", contrary to paragraph 189 of the NPPF.

The Central Conservation Area, Montpellier Character and Area Appraisal and Management Plan, was adopted by Cheltenham Borough Council as a Supplementary Planning Document (SPD) on 23 February 2007 and is a material planning consideration in the determination of planning applications.

The SPD provides a townscape analysis map (p.54) which identifies a "key view/vista" from south-east to north-west along Oriel Road.

The proposal site contains a building that is stylistically of the latter half of the twentieth century (c.1960s) and reads as having a commercial use rather than residential. The immediate vicinity is dominated by the highway known as Oriel Road (A46) and contains buildings of various periods.

The proposed works to the boundary of the proposal site will be in keeping with the twentieth century building and metal railings are to be found in the vicinity; therefore the scheme will not appear incongruous in the street scene.

Given the form of the proposed installations, general views along Oriel Road and Vittoria Walk will not be hindered.

The NPPF defines the setting of a heritage asset as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral" (Annex 2: Glossary).

The front (principal) elevation of Wolseley Terrace faces south-east and the proposal site. Map regression shows that the terrace historically faced part of the garden of a detached property known in 1855 as Wolseley Villa. Immediately to the east of the terrace was the carriage drive to the villa (located to the south of the terrace), on the line of the current vehicular access into the proposal site from Oriel Road. The line will be maintained; however, the historic drive and its context have been lost as a result of the c.1960s development.

Views of the front elevation of Wolseley Terrace from the south-east are limited and the proposed installation to the front of the site (north-east) will have negligible impact on them.

With regard to views of the front elevation of Wolseley Terrace from the immediate vicinity of the access point with Oriel Road, the proposed features will partially obscure aspects of the elevation to a degree; however, the design (railings) of the boundary treatments will allow a good degree of visibility. In addition, the majority of the front elevation of the building, particularly the polite upper floors will remain unobscured and assuming that the pavement area to the front of the terrace is publically accessible, views of the features at basement level will be achievable unhindered. The architectural value of the building will remain evident and its contribution to its significance will not be harmed.

Given the above the scheme will not detract from how the listed building is experienced and therefore its significance will be maintained. The proposal also does not present any negative impact on the respective settings of other listed buildings in the immediate vicinity.

Conclusion

The proposal will not detract from the character or appearance of the conservation area or the setting of listed buildings and as such the significance of the designated heritage assets will not be harmed; therefore the scheme is acceptable.

GCC Highways Planning Liaison Officer

11th 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 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.

The Highway Authority therefore submits a response of no objection.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	74
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

5.1 Letters of notification were sent to 74 neighbouring properties. The application as received comments of objection and this has been summarised but not limited to the following points;

- Impact on the conservation area
- Impact on the significance of the listed building
- Poor design
- Constricted pedestrian access

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations when determining this application are design, impact on the wider conservation area and street scene, impact on neighbouring properties and highways safety.

6.3 The site and its context

- 6.4** The property known as British Telecom is located at the corner of Oriel Road and Vittoria Walk. To the side facing west is a row of Grade II listed terraced properties known as Wolseley Terrace, where the application site and these properties are separated by a footpath.
- 6.5** The application site front boundary presently consists of a low level brick wall and automated barrier facing Oriel Road. This low level brick wall also acts as part of the side boundary facing Vittoria Walk and is attached to a 1.7m high brick wall with automate sliding gate for additional vehicular access. Both boundary treatments are visible from the public realm.
- 6.6 Design, layout and impact on historic environment**
- 6.7** The application proposes to add new railings above the existing low level brick wall, the installation of a new sliding gate for vehicle access to Oriel Road and the erection of metal railings to the western boundary adjacent to the public footpath and Wolseley Terrace. Additionally, the application also proposes to replace the existing sliding gate to Vittoria Walk.
- 6.8** Officers held concerns on the initial designs proposed for low level brick wall with fencing atop and the new sliding gate facing Oriel Road. It was considered that this design was visually utilitarian in appearance and unsympathetic to the character of the wider locality. Revised plans were later submitted to address officers concerns and these were presented at January committee before deferment.
- 6.9** Following deferment at the January planning committee, further revisions have been submitted in line with comments made by members. The height of the railings atop the brick wall have been revised to 1.6m and the sliding gate facing Oriel Road has now been designed to mirror the gates at a neighbouring property opposite the application site. These revised railings have continued the key element of spacing between bars, usually 140mm apart, and decorative finials atop individual railing bars, influenced from the appearance of historic railings.
- 6.10** The proposed metal railings to the western boundary, opposite Wolseley Terrace, will remain 1.2m high. They represent traditional historic railings and will incorporate a gate access for occupiers at Wolseley Terrace. These railings were initially higher but were reduced following officers concerns to allow for a less dominant appearance when utilising the footpath between the application site and Wolseley Terrace.
- 6.11** Officers consider that on balance the proposed works are acceptable and will not cause detriment the character and appearance of the wider conservation area. The proposed boundary line facing Oriel Road is approximately 10m from the edge of the carriageway and this will minimise the impact when viewed in context with the wider street scene. This is important given that an important view or vista as identified within *The Montpellier Character Area* is the view along Oriel Road facing west towards the Promenade. Part of the view includes the surrounding historic buildings including those facing Oriel Road, at the cross roads with the Promenade and the Town Hall. Officers consider that the proposed works will not distort, distract or deter this vista given its considerable setback from Oriel Road.
- 6.12** The submission of further revised plans following the deferment at January planning committee have unchanged the officers consideration with regards to the impact on the neighbouring Grade II listed Wolseley Terrace. The comments made by the conservation officer can still be taken into consideration and the initial concerns regarding the proposal from the surrounding neighbour have continued to be acknowledged.
- 6.13** A concern was raised regarding how the proposed works would obscure views of the adjacent Grade II listed Wolseley Terrace, potentially causing harm to the architectural

significance of the designated heritage asset. Wolseley Terrace features a ground floor above the existing street level with front facing balcony's surrounded by decorative ironwork. The proposed works would not be higher than the base of these balconies, while glimpses of the basement will still be visible when viewed from street level. It is common feature for railings to appear outside Regency buildings and this is evidence within the surrounding area.

6.14 A further concern was raised regarding the impact to the setting of this Grade II listed building. The setting of this building has already been compromised by the establishment of the British Telecom building constructed within the latter half of the 20th Century. It is opinion of officers that the proposed development will not cause any further harm to this setting but admittedly will not enhance it either. On balance, it was considered that at best the proposal would preserve the setting of the listed building and its surrounding area. Together with how views of Wolseley Terrace are still permissible and what could be achieved under permitted development, it is consider that no unacceptable impact or harm to the significance of this listed building will be caused and it would not warrant a refusal of permission in this instance.

6.15 Impact on neighbouring property

6.16 There are no significant amenity concerns as a result of the proposed development and the proposed boundary line has already been identified with the existing boundary treatment. Officers consider that the proposed works will not harm the amenity of the surrounding properties in respect to privacy, light and outlook.

6.17 A comment was received regarding the need vehicular access to facilitate maintenance of Wolseley Terrace. This would be a civil matter between the occupiers of Wolseley Terrace and the application site has the area for vehicle access is land occupied by the applicants. This would not fall under the responsibility of a planning application.

6.18 A concern was also raised on how the proximity of the metal railings adjacent to the public footpath and opposite Wolseley Terrace could create a constricted pedestrian environment. Whilst not predominately a material planning consideration, gated access is proposed for occupiers to this terrace and it is important to remember that any form of boundary enclosure can be erected up to 1m without the benefit of planning permission.

6.19 Access and highway issues

6.20 The Highways Authority have been consulted as part of this application and the raise no objection to the proposed works. As such, it is considered that no harm to the wider transport network will be caused.

6.21 Other considerations

6.22 A comment from a surrounding neighbour highlighted that listed building consent was required given that the proposed works are attached to no. 4 Wolseley Terrace. Officer understanding is that the railings will not be attached to this property however a condition has been added for further design details in relation to method of construction. The applicant has been informed that if the intention is to propose attaching the railings then an application for listed building consent may be required.

6.23 It is acknowledged that no Heritage Statement has been submitted alongside elevational and plan drawings. This application is considered as a minor development and the site is not a listed building or building designated as locally listed. It would be unreasonable to request this information given what can be built without the benefit of planning permission.

6.24 Public Sector Equalities Duty

6.25 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 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
- 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 complies with the 3 main aims set out.

7. CONCLUSION AND RECOMMENDATION

7.1 Officer recommendation is to permit this application subject to the conditions set out 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 Notwithstanding the submitted details, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

a) Stone (capping and plinth): (physical sample(s), name/type and source to be submitted to the LPA).

b) Railings and gates (including finials): (physical sample/swatch of paint colour to include manufactures name and specific product details, and method of construction)

The works shall not be carried out unless in accordance with the details so approved.

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

INFORMATIVES

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

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

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

APPLICATION NO: 20/01680/FUL		OFFICER: Mr Daniel O Neill	
DATE REGISTERED: 29th September 2020		DATE OF EXPIRY : 24th November 2020	
WARD: College		PARISH:	
APPLICANT:	The Applicant		
LOCATION:	British Telecom, Oriel Road, Cheltenham		
PROPOSAL:	New sliding vehicle access gate to Oriel Road, replacement of existing gate to Vittoria Walk and new metal railings on top of existing low level brick wall to achieve an overall height of 1.6m, as well as 1.2m railings opposite Wolseley Terrace.		

8 Vittoria Walk
Cheltenham
Gloucestershire
GL50 1TW

Comments: 19th December 2020

As a resident of Vittoria Walk I object to the BT's planning application to erect a fence 'to reduce anti-social behaviour occurring on the British Telecom site.' This will not resolve the problem, it will simply displace the YMCA residents and make the place look ugly in the meantime. Both BT and the YMCA need to collaborate to make a more long-term solution that will not negatively impact our neighbourhood.

M R Ratcliffe Consultants Ltd
Suite 1 To 6 and 10 To 13
Wolseley House
Wolseley Terrace
Cheltenham
Gloucestershire
GL50 1TH

Comments: 21st October 2020

Thank you for notification of BT alterations to land adjacent to 1-4 Wolseley Terrace.

Attached is my response which makes clear the detrimental effect BT's application would have on this locality (attached).

I would also like to emphasise that buildings 2, 3 & 4 Wolseley Terrace are occupied by a charity The Isbourne Foundation, which receives rate relief. The Foundation provides an education centre which is open 24/7 in non-Covid times. There is a constant flow of disabled students with various degrees of mobility to the Centre, both on foot and vehicular. This ill-thought out plan would severely impact on the disabled and less fortunate people within our community.

In addition to the necessary vehicular disabled access, there are circa 100 self-employed tutors and therapists who teach in the educational Centre at various times of the week

and also require on numerous occasions vehicle access to load and unload teaching materials.

On the question of security, I am conscious that a small number of principally young people from the YMCA in Vittoria Walk congregate under the sheltered area on occasions. I can assure you that at no time have any of the Isbourne Team or students felt threatened, in fact quite the contrary because they are always most amenable. I acknowledge that there can be a small degree of drug abuse, but surely an organisation the size of BT could provide disposable facilities at minimal cost as part of their Corporate Social Responsibility to their local community. Having occupied Wolseley Terrace since 1983 - some 37 years - I am sadly unaware of any local contribution which BT has made locally to our town but I stand to be corrected of course.

I have asked other tenants to respond as quickly as possible but with the 'dispersed' nature of homeworking, I am sure you can appreciate there is a delay. Both the BID and Chamber of Commerce offices are not yet officially open.

Lastly, I am content to speak to the planning committee either during their visit or at their planning committee meeting, given the opportunity.

Cheltenham Chamber Of
Commerce
2 Trafalgar Street
Cheltenham
Gloucestershire
GL50 1UH

Comments: 21st October 2020

I am writing on behalf of Cheltenham Chamber of Commerce both as a Chamber but also as an occupier of Wolseley Terrace to register our objection to this application.

While we do have every sympathy with BT's problem we do not consider that anti-social behaviour can be solved by the construction of an extremely unattractive metal fence. At best it will only move the problem to another site it will not solve it. The solution must surely be at source and not by building a fence.

We hope that application which only detracts from the area will be refused.

Isbourne Foundation
4 Wolseley Terrace
Cheltenham
Gloucestershire
GL50 1TH

Comments: 21st October 2020

I write on behalf of The Isbourne Foundation, a registered charity who occupy No 2-4 Wolseley Terrace and would confirm my full support for the submission from M R Ratcliffe Consultants.

In addition I would like to raise the need for maintenance vehicle access, not only for ease of access but to deliver and collect materials. As I'm sure you are aware these Regency buildings, I believe some 170 years old, require constant on going attention to keep them in pristine condition.

The Isbourne Education Centre which is all about wellbeing for both the individual and our community is proud of its location and appearance in our town centre being close to our iconic Town Hall and situated within Cheltenham's Conservation Area. Having talked at length to my staff, tutors and therapists we are horrified of the inappropriate approach being undertaken by British Telecom. One can only imagine the damage to the Regency environment of this terrace should planning permission be granted.

I understand the reason for this application is to combat antisocial behaviour. However I would seriously question whether this is an appropriate course of action which only moves the alleged antisocial behaviour to another location. Surely an organisation the size of British Telecom has some form of social responsibility to its communities and it would not take much imagination to find a satisfactory resolution.

As Mr Ratcliffe alluded to in his response I am also able to confirm that at no time over the past 20 years have the occupants at the Centre felt threatened, in fact quite the contrary.

I hope that common sense will prevail and that this application is rejected.

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The high standards of contextual design for placemaking and boundary treatments required by policy MP2 and MP7 of the conservation area appraisal, policy SD8 of the JCS and paragraphs 192 and 200 of the NPPF are not delivered by the utilitarian design of the sliding gate, unattractive appearance of the railings, their proximity to and harmful impact on Wolseley Terrace.

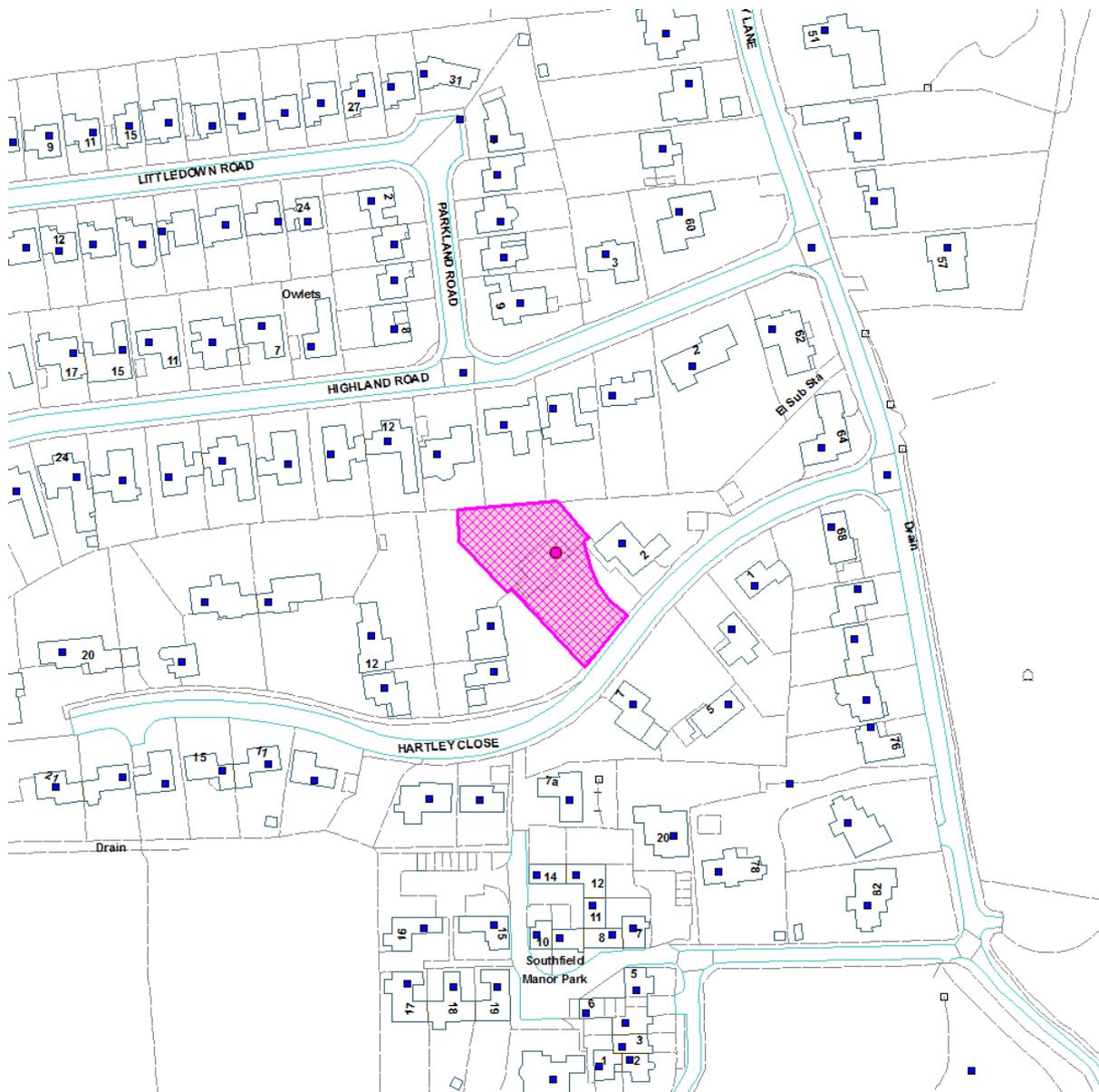
Conclusion

On the basis of the assessment above, I object to the application on the grounds that it results in unjustified harm to the significance of the grade II listed building of Wolseley Terrace and to the Conservation Area and is therefore contrary to both national and local policy. Amendments to the proposal might address these objections.

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APPLICATION NO: 21/00078/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 14th January 2021	DATE OF EXPIRY: 11th March 2021
DATE VALIDATED: 14th January 2021	DATE OF SITE VISIT:
WARD: Charlton Park	PARISH: Charlton Kings
APPLICANT: Mr Luke Fry	
AGENT: n/a	
LOCATION: 4 Hartley Close Cheltenham Gloucestershire	
PROPOSAL: Extensions, alterations and remodelling to form two storey pitched and flat roof dwelling, existing brick work to be rendered (revised scheme to 20/01907/FUL)	

RECOMMENDATION: Permit



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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 pitched and flat roof dwelling, this is a revised submission to application 20/01907/FUL which was refused at December's planning committee.
- 1.3 The application is at planning committee at the request of Councillor Baker due to the level of local interest in the original application and to allow further consideration by members of the design and impact on the character of the area. There are also objections raised by the Parish Council and the Civic Society.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Smoke Control Order

Relevant Planning History:

20/01907/FUL 18th December 2020 REF

Extensions, alterations and remodelling works to form two storey flat roof dwelling

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

15th January 2021

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

Parish Council

4th February 2021

Objection:

The Committee considers that this revised proposal is a definite improvement on the previous proposal in that it does now look like a dwelling rather than an industrial unit.

The Committee have no concerns regarding the scale or massing of the proposed dwelling but are concerned that the design has no connection or link to the surrounding street scene, which is relatively 'of a piece'.

Incorporating echoes of the local vernacular into the design would satisfy the Committee's objection.

Gloucestershire Centre For Environmental Records

31st January 2021

Biodiversity report available to view.

Architects Panel

11th February 2021

Design Concept

The panel had supported the previous application 20/01907/FUL which also proposed a second storey extension to this modest bungalow, but this scheme was refused by the planning committee on the grounds that the design was outof- keeping with neighbouring properties.

The new scheme is equally out of character with neighbouring properties which the panel felt in itself was not sufficient reason to refuse the scheme.

However, the new design includes a tall gable that is significantly higher than the previous scheme. The overall scale of the building is too big and unjustified.

Design Detail

Given the reasons for the previous refusal it is surprising that the designer didn't select materials and details that would be more in character with the area.

Recommendation

Not supported.

Cheltenham Civic Society

2nd February 2021

OBJECT

The Civic Society Planning Forum acknowledges that this proposal is slightly less industrial than the previous application. But it is still incongruous and much too overbearing. The Planning Officer's reasons for refusal of the previous application still stand.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 9 letters have been sent to neighbouring properties, 12 representations have been received, 5 raise objections to the application and 7 are in support of the application.

- 5.2 The points of concern raised in the letters of objection have been summarised but are not limited to the following:
- Design
 - Visual impact/impact on street scene
 - Loss of light/privacy
- 5.3 The points raised in the letters of support have been summarised and include the following points:
- Design and materials

6. OFFICER COMMENTS

- 6.1 The main considerations of this application are design, impact on neighbouring amenity and impact on the character of the area.
- 6.2 Members will be aware that the previous application 20/01907/FUL was discussed and determined at December's planning committee meeting. The application was refused and the refusal reason given was:

'By virtue of the design, form and use of materials, the development would fail to positively respond to or respect the character of its surroundings and would result in a jarring and incongruous addition to the street scene. The development would therefore be contrary to paragraphs 127 c) and 127 d) of the NPPF, policy SD4 1)i) of the Joint Core Strategy, and policy D1 of the adopted Cheltenham Plan.'

The applicant has now submitted a revised application in an attempt to overcome the concerns previously raised and to address this reason for refusal.

- 6.3 The overall footprint and general layout of the dwelling in this revised application remains broadly unchanged, however, the form and choice of materials proposed has been amended. The revised design includes a projecting gable and a flat roof form rather than the full flat roof from previously proposed. The grey metal cladding that was previously proposed has been removed and timber cladding is now proposed at first floor.
- 6.4 Officers do not consider that the change to the roof form will result in any greater impact on neighbouring amenity. As there are no amenity concerns, the comments below focus on the previous refusal reasons which relate to design, form and use of materials.
- 6.5 The revised proposal has introduced a projecting gable roof form to the west of the dwelling, gables are a feature of the properties either side of the application site and in the surrounding area. The introduction of this gable design therefore enables the remodelled dwelling to sit more comfortably within its context. Officers acknowledge that an area of flat roof is still proposed, however this is seen to help with the transition in heights from that of the single storey dwelling to the east and the two storey dwellings to the west.
- 6.6 The palette of materials now includes dark coloured roof tiles, render, vertical timber cladding and grey powder coated aluminium windows and doors. Due to the projecting gable design, the amount of first floor cladding has been reduced. Previously, members considered the introduction of grey metal cladding to be out of keeping with its surroundings and considered that the development would have resulted in a jarring addition to the street scene. Timber cladding is a material that has been used in various

remodelling and modernisation works to properties in the local area, officers therefore consider this to be an acceptable material that will be in keeping with its surroundings.

- 6.7 Officers acknowledge that the design is still contemporary and will introduce a very different form of dwelling from the one that currently exists on the site. However, recent modernisation and re-modelling works of surrounding properties suggests that a modern/contemporary design approach can be achieved on this site. The revised proposal has picked up on the design features of surrounding properties by including the new gable roof form, allowing it to sit more sympathetically within its surroundings. This change to the roof form and the introduction of materials that are present in the local area allows the dwelling to sit comfortably within its context and is not considered by officers to result in a jarring or incongruous addition to the street scene.
- 6.8 A total of 5 letters of objection have been received in response to the neighbour notification process, which is less than the 9 objections received in the original application. This suggests that the application has gone some way to address the concerns previously raised by local residents.
- 6.9 Officers believe that the revisions proposed within this application have taken on-board the comments raised by members at the last committee meeting and have addressed the reason for refusal.

7. CONCLUSION AND RECOMMENDATION

- 7.1 This revised proposal is considered to achieve an acceptable design that will not be detrimental to the design or character of the local area and is therefore considered to be compliant with section 12 of the NPPF, Cheltenham Plan Policy D1 and JCS policy SD4.

Therefore, officer recommendation is to permit the application, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

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

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

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

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

- 3 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).

INFORMATIVES

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

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

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











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APPLICATION NO: 21/00078/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 14th January 2021	DATE OF EXPIRY : 11th March 2021
WARD: Charlton Park	PARISH: CHARLK
APPLICANT:	Mr Luke Fry
LOCATION:	4 Hartley Close, Cheltenham, Gloucestershire
PROPOSAL:	Extensions, alterations and remodelling to form two storey pitched and flat roof dwelling, existing brick work to be rendered (revised scheme to 20/01907/FUL)

REPRESENTATIONS

Number of contributors	12
Number of objections	5
Number of representations	0
Number of supporting	7

10 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 29th January 2021

[Photos attached]

Many residents felt daunted & unable to challenge or counter the very professional document prepared to support this application (19thJan. 2021)

It is however worth closer scrutiny by the Planning Committee please, not least as it's frontispiece & 5.1 street scene, shows a tree obscuring the bulk of the intended structure; more useful clear views are readily available to illustrate the potential impact as below?

(Picture of existing bungalow)

Absent from the document is any reference to 1, Hartley Close, extended in the last 12-18 months, which employs limited render, new windows & remains faithful to the character of the Close(17/00218).

(Picture of recently extended 1 Hartley Close)

This is also true of 19 & 21, which, while recently "refreshed" with limited render, remain in keeping, while their brickwork flanks being generally more visible to the street scene than the elevations.

Bungalow 7a, which also employs render, is set back & substantially obscured by a 6ft plus brick boundary wall & panelled garden fence. Like 23 Hartley Close, it is not really noticeable from the highway:-

(Picture of 7a Hartley Close)

Absent too is reference to 8 Hartley Close where, given it's location, render was disallowed in favour of the original brick finish.(17/00386). Noted however is the less prominent north side extension to 6 Hartley Close despite the main rendering being enclosed in the rear garden?

(Picture left to right of 8 & 6 Hartley Close)

Artistic licence utilised in "3.2 Character, setting & sense of place", portrayed 6, 15 & 19, as "stand alone" properties with, particularly in the case of 15, neighbouring housing, replaced by blue sky/tree imagery, suggesting less reliance or impact on the surroundings? 15 has more design reliance on 68 & 70 Sandy Lane, as the case officer declared when recommending "permit",(19/02143);

Question? Is that "tolerable" boundary of design,(I personally objected) now being promoted to import yet again, characteristics from without? (the Officers report is available with the December 2019 P. Committee meeting minutes.)

It is our view that the revised proposal seeks to bring about just such an import rather than a home reared solution? Clearly with the design skills displayed by the applicant, reaching an amicable & suitable resolution would seem well within reach?

Despite all the foregoing, reference has only been made to 8, of Hartley Close's 25 properties,which actually create limited disruption to the street scene. Is it not prudent to absorb the "bigger picture"?

Would it not be a tragedy to sacrifice a much valued, admired & openly coherent neighbourhood to what may yet prove to be just another fashionable "trendy box"?

Paraphrasing Joni Mitchell ?

"You don't know what you've got til' it's gone"?

Supporting photographs do not appear to have transferred with the message & will be forwarded directly to the Planning Officer for inclusion.

Comments: 4th February 2021

For purposes of clarity & general visibility, regarding the setting of 2; 4; 6 & 8 Hartley Close, I have forwarded further photographs, taken from the adjacent roadway, directly to the planning officer for inclusion.

Also included is a view of bungalow 7a, to illustrate it's impact on the street scene.

We would be grateful if the P. Committee can encourage the applicant, to bring forward a design that will more closely chime with the established neighbourhood please?

Many thanks

Comments: 5th February 2021

Thank you for "posting" the previous images I sent to you. For "clarity of the setting" regarding 2; 4; 6 & 8 Hartley Close, I would be grateful if you could repeat the exercise with the attached images please?

Also attached is a view of 7a Hartley Close from a "highway" viewpoint if you could include that one also please?

6 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 19th January 2021

Pleased to see the amendments to this development and happy to support it.

2 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 27th January 2021

I am writing in relation to the above application.

I am 100% against it and would like to mention that the raised height of the "low pitched" roof to afford to a "usable first floor" would impact loss of light, privacy and domination of my outlook and shared lawn to the front. No. 4 being built on a slightly higher plane would accentuate that loss.

Also the special features of Hartley Close are that all the houses have been built sympathetically with each other thus affording a very sophisticated feel to it which is very important these days. As it stands this new application would make the proposed house stick out 'like a sore thumb'. Totally unsuitable.

I trust my comments will be taken into consideration as it is a very upsetting situation at an already very upsetting time.

2 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 19th February 2021

I am writing regarding the above building application . I am 100 per cent against this for many reasons - the primary one being the fact that it is proposed to make it a 2storey house which will make a huge difference to my house. The raised height of the low pitched roof to afford a "usable first floor" would impact loss of light , privacy and domination of our outlook and shared lawn to the front. No. 4 being built on a slightly higher plane would accentuate that loss.

My personal view is that if passed, it would open the Close to wholesale change in the future of which I believe it would be detrimental. I have lived in this Close since 1975 and I do not want the special feeling of the Close to be spoilt by a modern two storey house,

which is completely out of character with all the other houses and would stick out like a sore thumb.

Comments: 19th February 2021

I do sincerely hope that this project is changed considerably as the difference to the light and sunshine and privacy in my lounge will be considerable. It isn't a very light lounge in the first place so when the skies are clear and there is sunshine, we can turn the lights off.

64 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DH

Comments: 15th January 2021

This looks much better than the previous design. No objections

18 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 1st February 2021

It is not surprising that the clearly solicited comments from properties nowhere near Hartley Close are from owners of similarly designed dwellings.

To suggest that Hartley Close looks "tired and dated" is complete nonsense.

Despite the extensions that have taken place, many of which have used limited rendering, the road remains a harmonious street scene of timeless and quality brick built houses.

Let's face it, render is only modern in the sense that it enables construction of extensions built with cheap blocks rather than the more expensive brickwork. Furthermore, the brick built houses look not dissimilar to the way that they were presented when newly built. Render, in 40 years' time will look dirty and dated and require renewal.

Finally, I do not believe that a flat roof fits in with this area.

7B Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 3rd February 2021

This design is certainly an improvement on the previous one however my concerns remain and I cannot see how this latest scheme addresses the reasons stated by the

Page 41

LPA for refusal of application 20/01907/FUL and the views expressed by the Parish Council Planning Committee and Civic Society in their objections.

My view is that whilst the design has been improved, the scale and choice of finishes continue to not respond to or respect the character of the surroundings and would therefore be an incongruous addition to the street scene. Surely therefore this current application does not meet the requirements of the policies either?

Those Councillors who know the street well or who took the time to visit it prior to the previous Planning Committee meeting appeared to me to have a deep understanding of the concerns raised. I think that the open lawns without boundary treatment (whatever the ownership) and the way the properties are set back from the highway in a semi-circle on both sides in that part of Hartley Close were a credit to the developer / town planners at the time, but do increase the sensitivity of developments like this proposal.

I am of the view that any development should be finished predominantly in brick.

I have read the applicant's updated supporting statement (3 Feb). It is of course correct that the use of render has been introduced to Hartley Close, but predominantly in the upper part. Where the lower part is concerned, I'd point out the following:

No.1 - the recent extension to this property, certainly on the front elevation, was finished in brick and you'd need to look closely to see it had been extended at all.

7a does not have much impact on the street scene in my view - this statement is even more true from March to October for obvious reasons and it is a bungalow behind a high wall. This is also an example of a property that has been renovated over time, making use of the existing footprint (garage) to provide additional living space.

No. 6 - use of some render. The Officer's report notes the 'predominant use of brick' but does seem to me to contradict the views expressed when considering No. 8!

No. 8 - the Officer's report and what was granted consent stipulates the use of brick finish and the former details how this outcome was reached following a change from the original proposal which was to use render. It speaks of the finishes used on properties in the 'immediate locality'. When you read this in conjunction with the Officer's report for No. 15 you could think you were talking about 2 different streets, but I would say that immediate locality is the key point and that the conclusion reached by the Planning Officer in the case of No. 8 is relevant to this current application for No. 4. given their relative locations.

Sandy Lane is referenced in the supporting statement and residents thereof who have recently developed / have pending developments for their properties have taken an interest in this application. We can all see that Sandy Lane is an example of a street developed ad hoc over at least the last 100 years for its entire length and so has inbuilt incongruity in architectural style and finishes. Hartley Close is discrete from surrounding roads, it is a cul-de-sac developed in pretty much one phase hence the potential for harm from development which is a significant deviation from the current style and finishes is significantly greater than say Sandy Lane. It is my contention that this proposal would cause such harm.

15 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 3rd February 2021
Support.

The revised plans are more considerate than the prior application which like other residents we did not support due to the use of metal cladding on mass.

The revised design responds to feedback, is reflective of the existing street scene gable end architecture, is overall proportionate and leverages render as the predominant finish which to a less or greater extent is a material featured on many existing properties in Hartley Close. Whilst less prominent and not original to the street, timber is also featured to the frontage of some properties in Hartley Close today. In the case and context of property #4, it is set back from the highway, partly obscured by a tree and therefore the use of timber cladding seems appropriate provided the planning committee gives due consideration over future applications to prevent timber cladding becoming the dominant material on the street.

46 Sandy Lane
Cheltenham
gl53 9dq

Comments: 16th January 2021

I'd like to support this application on the basis of its modern design and well thought out selection of materials.

Hartley Close is an interesting 1970 development which attempted to create a sense of architectural diversity by mixing materials, shapes and variations to the building line. Alas the cost of construction probably limited what could be achieved but it is clear that had the financial constraints and limited pallet of materials not imposed themselves, it would have been far more diverse and interesting.

The proposed changes at number 4 reflect current trends across the late 20th Century estates around Cheltenham. The removal of cheap white plastic windows in favour of elegant aluminium profiles (most likely the original windows were also aluminium), render to cover the mass produced London Phospress bricks and the clever use of shape and colour make this an excellent addition to the local area.

It is nice to see that the current resident did not choose to go down the route of using the new 2020 permitted development rights which would have bypassed any consultation all together and has incorporated the feedback of the local residents into this design.

1 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 2nd February 2021

A number of the properties in Hartley Close have been extended and developed in a variety of ways, utilising a range of materials. These new plans offer a contemporary design that is more sympathetic to the area. We have no objection.

11A Greatfield Drive
Cheltenham
Gloucestershire
GL53 9BT

Comments: 17th January 2021

We have lived in Greatfield Drive for many years and have seen it develop for the better over this time. The road is similar to Hartley Close, a beautiful quiet road coming off Sandy Lane, however when comparing the two, Hartley Close looks like it has been stuck in the past and is in real need of modernisation as the 1970's properties now look tired and old.

Greatfield Drive has had several bungalows significantly increase in size, such as a 2-bed detached bungalow now transformed into a beautiful 6-bed house. This has only made the area more desirable and I cannot see why Hartley Close wouldn't benefit from the same transformation - after all, it is not a protected or listed area.

The plans proposed look very well designed and complement the rendered houses which already exist on the road. Many properties on the road are houses so by adding another storey, this house will fit in nicely with the surrounding area.

Initially, I thought the land in front of the bungalow was a public green but having seen on the plans that it is in fact their front garden, the property has a substantial plot which is set far back from the road and neighbouring properties and cannot even be seen upon entrance to the road. We were surprised to see the negative comments on the last application but in saying that, we actually prefer this design and can see that the architect has obviously taken previous comments on board in the new design to reflect any neighbours previous concerns.

We walk along Sandy Lane and through Hartley Close regularly and as we have seen the benefits of modernising and developing properties on our road, Sandy Lane and Highland Road we feel that it will bring Hartley Close up to date and will complement the high-quality houses in Charlton Kings. We are fully in support of the proposed plans as they fit with the growing culture of contemporary properties in the surrounding area which will all add to the appeal of living in Charlton Kings.

68 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DH

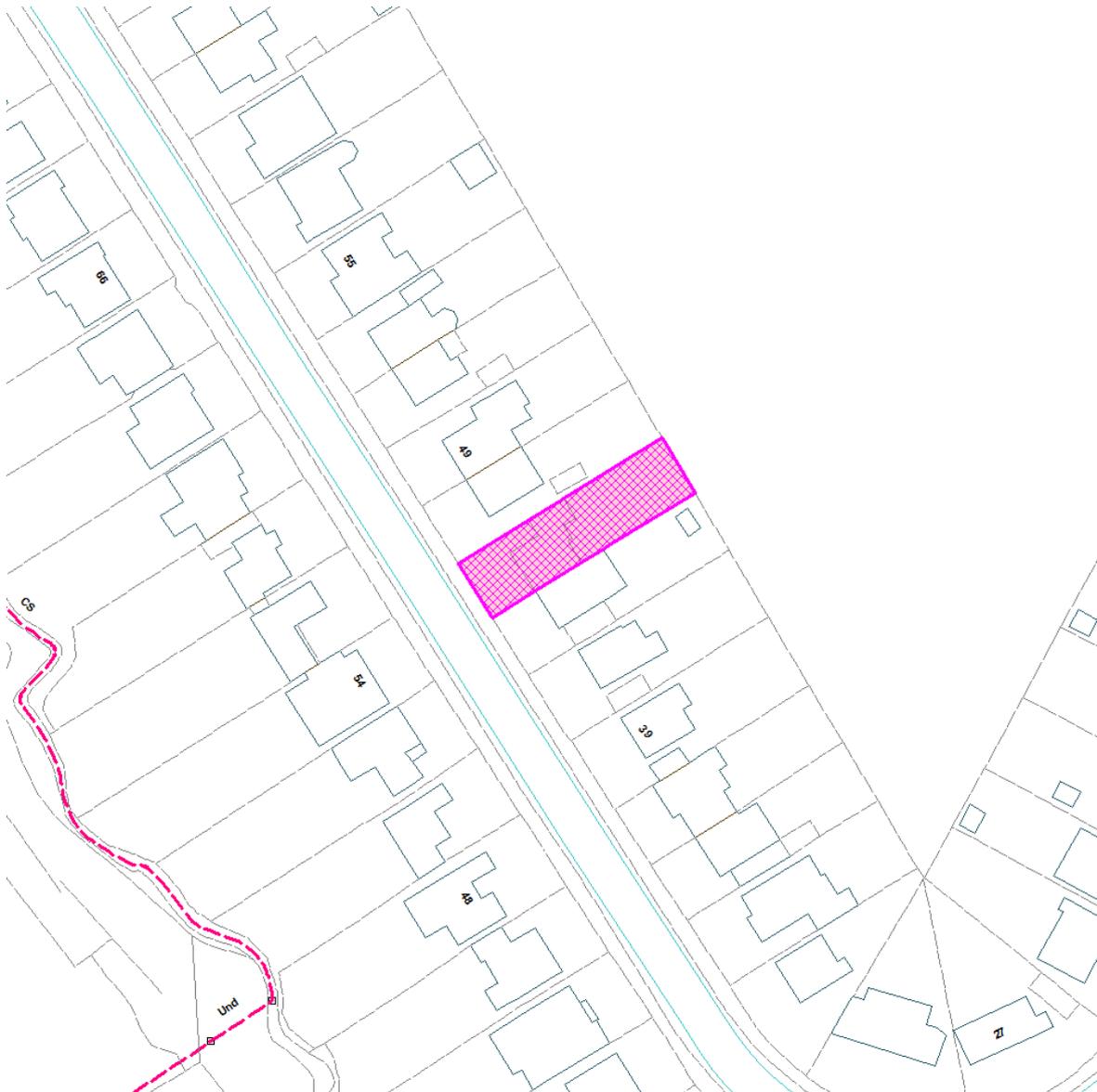
Comments: 27th January 2021

It came as no surprise to me when I read all of the objections and the decision to 'refuse permission' based on the previous plans. I think this was definitely a step too far.

I am pleased to see that the revised plans have taken a modern but not extreme approach to updating and extending a 1970's bungalow. A large number of houses in Hartley Close, Sandy Lane and areas surrounding have been updated and modernised in the past few years and this has had a significantly positive visual impact on the area. You only need to take a look at google street maps to see how the houses located in and around Hartley Close look dated, and tired compared to the updated properties that are currently in situ.

APPLICATION NO: 21/00179/FUL		OFFICER: Mr Daniel O Neill
DATE REGISTERED: 28th January 2021		DATE OF EXPIRY: 25th March 2021
DATE VALIDATED: 28th January 2021		DATE OF SITE VISIT:
WARD: Park		PARISH:
APPLICANT:	Mr And Mrs S And D Francasso-Stroud	
AGENT:	Coombes Everitt Architects Limited	
LOCATION:	45 Bournside Road, Cheltenham, Gloucestershire	
PROPOSAL:	Two storey side extension, rear single storey extension, loft conversion	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a two storey semi-detached dwelling located on the north-east side of Bournside Road. The property is not located within a conservation area and the rear private of the site backs onto Hatherley Park, a local public green space.
- 1.2 The applicant is seeking planning permission for a two storey side extension, a single storey rear extension and a loft conversion with a rear dormer.
- 1.3 The application has been called to planning committee at the request of Cllr Barrell and Cllr Harman over design, impact on neighbouring amenity and impact on the wider street scene.
- 1.4 Revised plans have been submitted at officers request following concerns raised with the proposed two storey side extension element of the scheme.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Residents Associations

Relevant Planning History:

83/00198/PF 26th May 1983 PER

Erection Of 2-Storey Rear Extension To Provide Kitchen Dining Room and Bedroom And Single Storey Extension To Provide Garage and Utility Room At Side

86/00305/PF 24th April 1986 PER

Erection Of Single Garage And Porch To Side And Front Of Property

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 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

Ward Councillors

17th February 2021 - I would like to call in to the Planning Committee the application for 45, Bournside Road number 21/00179/FUL if you are minded to permit the present application. The grounds will be a neighbour's concerns regarding the effect on the street scene, design, the extension not being subservient to the main building, overlooking neighbour's garden and thereby affecting neighbour's privacy, and an overbearing impact.

Building Control

29th January 2021 - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Gloucestershire Centre For Environmental Records

3rd February 2021 - Biodiversity report available to view.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1** One comment in objection to the application was received and has been summarised but not limited to the following points;
- Impact to the character and appearance of the semi-detached dwellings
 - Harm to the sider street scene
 - Excessive scale and form of the dormer
 - Overlooking and loss of privacy

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations when determining this application is design, in relation to the character and appearance of the original building, impact on the amenity of the surrounding properties and impact on the wider street scene.

6.3 The site and its context

6.4 45 Bournside Road is a white rendered semi-detached property that has been previously extended in the past with the single storey side garage. The rear boundary of the site adjoins a local public green space known as Hatherley Park. Views of the dwelling's rear elevation and private garden land are possible from this local green space.

6.5 Design and layout

- 6.6** Policy SD4 of 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.
- 6.7** The Council's *'Residential Alterations and Extensions'* SPD highlights that later additions should not detract or dominate from the parent dwelling. An extension should read as a subservient addition and play a supporting role. The SPD empathises how the principle of a two storey side extension is that works of this kind should incorporate a 1 metre setback from the front elevation given how side extensions in line with this elevation can *"lack the necessary subservience and often draw attention because it is difficult to match new and existing materials"* following construction. This document however does acknowledge that certain *"house designs do not require this type of setback"* in a two storey side extension.
- 6.8** The application proposes a hip-to-gable loft conversion with a rear facing dormer window. Officers acknowledge how the roof alteration to the existing property will unbalance this pair of semi-detached dwellings but this form and scale of development could, in isolation, be undertaken as permitted development as the site is not located within a conservation area, and therefore would not require the benefit of planning permission. This is an important fall-back position to consider and it is noted that other semi-detached properties along Bournside Road have assumed similar works.
- 6.9** Materials proposed for the rear dormer will differ to the existing property and this element will trigger the need for planning permission. It is proposed to clad the exterior of the dormer window with grey powder coated aluminium. Officers consider that this will represent a contemporary and innovative design approach. Section 12 of NPPF states that planning decisions should not prevent or discourage appropriate innovation with development in regard to its design. A condition has been attached to ensure that the finish and appearance of the aluminium cladding is of a high quality given its location.
- 6.10** A two-storey side extension is also proposed as part of this application and would extend the full depth of the existing property. The pitch, shape and covering of this extension will mirror the hip-to-gable roof alteration facilitated to the loft conversion with rear dormer. Revised plans have been submitted to introduce a set back at first floor at the request of the case officer. Although not in strict accordance with the guidelines set out within the SPD, the height of the extension will now sit below the ridgeline of the existing property and together with the setback proposed will achieve a level of subservience. Furthermore, the use of render to match will not draw attention to the extension given the ease to match this type of material and finish.
- 6.11** The application also proposes an enclosed porch to the front and a single storey rear extension. Both of these elements will read as a complimentary addition and represent once again a contemporary design approach. As such, these elements are considered acceptable.
- 6.12** Whilst the cumulative impact of the various elements of the proposal will undoubtedly alter the existing roof form, the overall form of the parent dwelling will be readably while the resultant development is considered not to detract or dominate from its character and appearance. There would be no unacceptable loss of gap and the two storey side extension would mirror other properties in the vicinity. This would not cause any detrimental impact or unduly disruption to the wider street scene.
- 6.13 Impact on neighbouring property**
- 6.14** Policy SD14 of the JCS and Cheltenham Plan policy SL1 required development not to cause any unacceptable harm to the amenity of adjoining land users and the wider locality.

6.15 Officers have duly noted the concerns raised by a neighbouring property with regard to the impact of the dormer window in respect to overlooking and privacy. The proposed dormer would not extend beyond the plane of the existing rear elevation and would meet the minimum distance from window to rear boundary. Whilst the size of the window would be allowed in the rear of a dormer if constructed under permitted development regulations. In this instance, it would be unreasonable therefore to refuse planning permission.

6.16 There are no windows located within the side elevation of the neighbouring property at 47 Bournside Road that would be affected by the two storey extension. This element of the scheme will not extend beyond the existing rear elevation and there will be a gap of approximately 3m between the extension and neighbouring side elevation. It is considered that no unacceptable loss of light or overbearing impact to this property will be caused. Additionally, no letters of objection have been received following neighbours notification.

6.17 Access and Parking

6.18 The proposed development would result in the loss of an existing side garage potentially used for off-road parking. The application site benefits from a full width front driveway and therefore it is considered that there is ample space for continued off-road parking.

6.19 Biodiversity

6.20 Records show that important species have been sighted near the application site in the past, in particular Great Crested Newts, the sighting recorded at 240m in 2009. Given the distance from the site and the time that has passed since the recording it is not considered that this development would have any impact on these species.

6.21 Public Sector Equalities Duty

6.22 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 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
- 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 complies with the 3 main aims set out.

7. CONCLUSION AND RECOMMENDATION

7.1 It is considered that the proposed scheme represents a high quality design which is in accordance with the general design advice set out within the NPPF, local policies and supplementary guidance.

- 7.2 The proposal would also appear to be in accordance with local and national policies related to the protection of neighbouring amenity.
- 7.3 Officer recommendation to members therefore is to permit planning permission subject to the conditions set out 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 materials shall be applied the proposed rear dormer unless in accordance with:

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

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

Reason: In the interests of the character and appearance of the area, having regard to 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, the authority sought revisions to amend the proposed two storey side extension.

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

APPLICATION NO: 21/00179/FUL		OFFICER: Mr Daniel O Neill	
DATE REGISTERED: 28th January 2021		DATE OF EXPIRY : 25th March 2021	
WARD: Park		PARISH:	
APPLICANT:	Mr And Mrs S And D Francasso-Stroud		
LOCATION:	45 Bournside Road, Cheltenham, Gloucestershire		
PROPOSAL:	Two storey side extension, rear single storey extension, loft conversion		

REPRESENTATIONS

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

43 Bournside Road
 Cheltenham
 Gloucestershire
 GL51 3AL

Comments: 10th February 2021
 Letter attached.

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Whilst we accept that a limited degree of overlooking will always arise between adjoining semi-detached dwellings, the degree of visual intrusion here would be severe – not only because of the excessive size of the rear dormer window but also because the dormer would be positioned right up to the common boundary.

As a consequence of this, the proposed dormer would loom over my client's rear garden and have a very intrusive and overbearing impact. This is despite the fact that the design guidance given in the Council's SPD emphasises the need to carefully consider the potential effect on neighbours' privacy with respect to new dormer windows.

In all respects, this contravenes the requirements of Policy SD4 of the Joint Core Strategy, whereby development should ensure appropriate standards for privacy and the enjoyment of external space free from undue visual intrusion. The proposal is also contrary to the National Planning Policy Framework, which requires a good standard of amenity to be secured for existing and future occupants of land and buildings.

Overall, we are firmly of the opinion that this proposal would cause substantial demonstrable harm to the character and appearance of the area and the living conditions at neighbouring properties, particularly my client's private rear garden, in clear contravention of the national and locally adopted development plan planning policies set out above. We urge the Council to uphold those policies and refuse the application accordingly.

Yours faithfully

[Redacted signature]

Simon Miles
Chartered Town Planner

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APPLICATION NO: 21/00171/FUL	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 28th January 2021	DATE OF EXPIRY: 25th March 2021
DATE VALIDATED: 28th January 2021	DATE OF SITE VISIT: 10/03/21
WARD: All Saints	PARISH:
APPLICANT:	Mr Baker
AGENT:	RRA Architects
LOCATION:	16 Hewlett Road, Cheltenham, Gloucestershire
PROPOSAL:	Alterations to rear of property to include first floor balcony with staircase, replacement door, new first floor window, and rear garden courtyard.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a mid-terraced three-storey property currently in use as offices on the ground floor and a residential property on the 1st and 2nd floor. The rear amenity space is currently used for parking and is accessed from Berkeley Street.
- 1.2 The site is located within the Sydenham Character Area of Cheltenham's Central Conservation Area.
- 1.3 The applicant is seeking planning permission for the construction of a rear balcony and external steps, which will allow access to a new rear garden courtyard. The application also seeks minor works consisting of a replacement door and a new first floor window.
- 1.4 The application is at committee due to the applicant being a Councillor of Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

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

Relevant Planning History:

10/01300/PREAPP CLO
Proposed Apartments

85/00905/PF 26th September 1985 PER
Alteration To Access

89/00176/AI 30th March 1989 PER
Display Of Illuminated Projecting Sign

96/00568/PC 12th September 1996 REF
Change Of Use From Shop To Dwelling
Including The Retention Of Existing Workshops At Rear And Provision Of
3 Parking Spaces As Amended By Letter Received On 12 Sep 96

15/01065/FUL 21st August 2015 PER
Refurbishment & Alteration to workshop at the rear of 16 Hewlett Road

15/01612/AMEND 16th September 2015 PAMEND
Non material amendment to planning permission 15/01065/FUL to allow fenestration modifications

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

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

HE1 Buildings of Local Importance and Non-Designated Heritage Assets

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

INF1 Transport Network

Supplementary Planning Guidance/Documents

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

4. CONSULTATIONS

Building Control

10th February 202

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

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	12
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key considerations are the design, the impact on the historic environment and any impact on neighbouring amenity.

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 Policy SD8 of the Joint Core Strategy requires development to make a positive contribution to local character and distinctiveness, and having regard to the valued elements of the historic environment.

6.6 The new balcony is approximately 2.3m deep, 4.3m wide and 3m high with a glass/metal balustrade. The proposal is considered to be of an appropriate height and scale for its intended use and includes an appropriate use of materials. As such, it is therefore considered that a balcony and staircase in this location is acceptable, would achieve an acceptable design and would not harm the character of the conservation area.

- 6.7** The new balcony and staircase will allow access to the new garden. The new garden will be a welcome addition to the site and enhance the appearance of the conservation area.
- 6.8** The new window and door are in keeping with the existing fenestration to the rear of the property and therefore achieve an acceptable design.
- 6.9 Impact on neighbouring property**
- 6.10** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Cheltenham Plan SL1, which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.11** The proposed balcony and stairs will have little impact on the neighbouring amenity, there are no issues with regard to overlooking and the proposal will not affect light levels to neighbouring properties. It is also noted that no letters of objection have been received in relation to the application. As such, the proposal complies with the relevant planning policies.
- 6.12 Access and highway issues**
- 6.13** The new garden will reduce the on-site parking provision however four car parking spaces will be retained.
- 6.14** The site is sustainably located within the town centre, with good pedestrian and cycle links to a wide range of local facilities, public transport services and two public car parks within walking distance.
- 6.15** For these reasons, the proposal is considered to be in accordance with Joint Core Strategy policy INF1 Transport Network, and advice contained in the National Planning Policy Framework.
- 6.16 Public Sector Equalities Duty (PSED)**
- 6.17** 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.
- 6.18** 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.
- 6.19** In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Therefore, with all of the above in mind, the proposals are considered to be in accordance with relevant national and local planning policy and the recommendation is to grant planning permission subject to the following conditions:

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.

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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Appeals Lodged FEB/MAR 2021

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
24 Charlton Close Cheltenham Gloucestershire GL53 8DJ	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)	Committee Decision	Householder Fasttrack	April 2021	Planning ref: 20/01946/FUL Appeal ref: 21/00001/PP1
138 Gloucester Road Cheltenham Gloucestershire GL51 8NB	Update of existing advertisement to support a digital equivalent which will display static advertisements on rotation	Delegated Decision	Written representation	June 2021	Planning ref 20/01798/ADV Appeal ref: 21/00002/ADV1

Appeals Determined

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
452 High Street Cheltenham Gloucestershire GL50 3JA	Replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display	Committee Decision	Written representation	Appeal Dismissed	Planning ref: 20/01442/ADV Appeal ref: 20/00022/ADV1

Authorised By: Mike Holmes 15.03.2021