

Cheltenham Borough Council Planning Committee

Meeting date: 20 April 2023

Meeting time: 6.00 pm

Meeting venue: Council Chamber - Municipal Offices

Membership:

Councillor Paul Baker (Chair), Councillor Garth Barnes (Vice-Chair), Councillor Glenn Andrews, Councillor Adrian Bamford, Councillor Bernard Fisher, Councillor Paul McCloskey, Councillor Emma Nelson, Councillor Tony Oliver, Councillor John Payne, Councillor Diggory Seacome and Councillor Simon Wheeler

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Contact: democraticservices@cheltenham.gov.uk
Phone: 01242 264 246

Agenda

1 Apologies

2 Declarations of Interest

3 Declarations of independent site visits

4 Minutes of the last meeting (Pages 5 - 8)

To approve the minutes of the meeting held on 23 March 2023.

5 Planning Applications

5a 23/00359/FUL 3 Pittville Crescent Lane, Cheltenham, GL52 2RA (Pages 9 - 32)

[Planning application documents](#)

5b 23/00502/CACN 66 Copt Elm Road, Charlton Kings, Cheltenham GL53 8AW (Pages 33 - 54)

[Planning application documents](#)

6 Appeal Update (Pages 55 - 76)

For information

7 Any other items the Chairman determines urgent and requires a decision

Date of next meeting Thursday 18th May.

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Cheltenham Borough Council Planning Committee Minutes

Meeting date: 23 March 2023

Meeting time: 6.00 pm - 7.30 pm

In attendance:

Councillors:

Paul Baker (Chair), Garth Barnes (Vice-Chair), Glenn Andrews, Adrian Bamford, Bernard Fisher, Paul McCloskey, Emma Nelson, Tony Oliver, John Payne, Diggory Seacome and Simon Wheeler

Also in attendance:

Michael Ronan, Lucy White (Senior Planning Officer) and Liam Jones (Head of Planning)

1 Apologies

There were none.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

Those Members who attended planning view visited the site.

4 Minutes of the last meeting

Were approved with several amendments brought to the committees attention by Councillor Nelson.

5 Planning Applications

6 20/00759/FUL Elms Park, Tewkesbury Road, Cheltenham

The Planning Officer introduced the report as published.

The agent on behalf of the applicant was then asked to address the committee and made the following points:

- He thanked the officers for their support and assistance throughout the application process.
- Persimmon homes is a five star home builder.
- This is the first phase of the new Cheltenham development.
- One of the key priorities in the Corporate Plan is 93 new homes , this site will have apartments and houses many for specifically first time buyers.
- The properties will be energy efficient, there will be no gas supply to the estate and there will be solar panels on most of the properties.
- There will be the incorporation of drainage systems to emulate farmland.
- There will also be public footpaths incorporated into the estate.
- There will be approximately 80 new jobs and 5 apprenticeships created during construction.

The matter then went to Member questions. The responses to them were as follows:

- First time buyers wishing to purchase one of the homes will be vetted to ensure that they are first time buyers and if the house is resold it will be to a first time buyer.
- There will be solar panels on the roofs of all the properties, but the capacity of them will not be known until the properties are built. The existing condition states that the properties will not be occupied until the solar panel are approved. At this point the agent clarified that each building will have the solar panels not each dwelling as this is not possible on individual flats.
- The speed limit on the estate will be subject to a 106 agreement not a condition.
- The Highways Officer confirmed that there is no formula when determining whether a road will be a primary entrance or exit. In the past the material factors considered would be things like highway maintenance and emergency access. Tewkesbury Road will be the main access to the site and Manor Road is proposed to be the secondary access. The developers may bring in more access to Tewkesbury Road.
- Gloucestershire County Council have requested funding to assist with secondary school places and have made assurances that there is capacity in the surrounding schools.
- The proposal is close to local services and bus routes.
- There will be no gas on the site it will all be electric and there will be vehicle charging points.
- The timeline for the new school being built will depend on the Elms Park developments being approved but the development is not reliant on the school being built per say.
- With reference to wheelchair accessible properties the agent confirmed that aside from the flats the houses will all be wheelchair accessible/compatible. The housing officer is happy with the proposal and is being delivered in line with Section 106.
- The highways officer confirmed that Junction 10 is not fully funded as the total package has a funding shortfall. Members will be consulted with regard to the funding shortfall.
- There has been some discussions with regards to whether there will be a bus gate. There will be a lot of bus routes rather than sitting in traffic on the Tewkesbury Road.
- Gloucestershire Highways confirmed that the proposed block paving road will be of adoptable standard.

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- There are allowances made for pedestrian crossings which is under condition 21.
- With regard to the solar panels everyone shares the benefits of them and the excess energy will go to power the communal areas.

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

- Whereas the Member had no issue with the proposal the main use is with the problem with local school places and over loading the schools and phase one states that there will be a secondary and a primary school.
- The Legal Officer reminded Members that they were there just to consider the application and the officer report and nothing further.
- It was discussed that there is already a condition in place to change the speed limit on Manor Road to 30mph.
- This application is a test bed for the bigger development, although not entirely happy with the design of the development, but accepts that the pylons have to be part of the development. Had the pylons not been there then the design would be better. There are still concerns with regard to the traffic on both Manor and Runnings Roads and this development will not help with the traffic.
- With regards to the traffic it will slow down and it might not be so much of a rat run. This proposal ticks a lot of the boxes with regards to what the Council should be doing. Affordable housing is desperately needed and 35% of the development is a lot of affordable housing. The officers have done an excellent job and the developer has listened and come together with the best possible scheme to make it carbon neutral. This seems a really good scheme that deserves support and have to listen to the Education Department with regards to schools places as they are the experts in the field.
- There was acknowledgement that it was a shame about the pylons this is a good and solid application.
- Even as a standalone application it makes sense and a matter of social justice to support the application.
- There is a need for housing and there are a lot of good things about the application, including 35% affordable housing. Is there a lesson to be learn that needs to go back to the SPD to make sure that there are affordable properties included in large applications.
- Concern that all the traffic will go down Princess Elizabeth Way and traffic will increase until junction 10 is completed and there is currently no time scale for this. The whole town will be effected by the traffic flow. Members of the committee do not seem to care about there being not enough spaces in the schools.

The matter then went to the vote on the officer recommendation to permit:

FOR: 10

AGAINST: 1

PERMIT

7 Appeal Update

Noted for information.

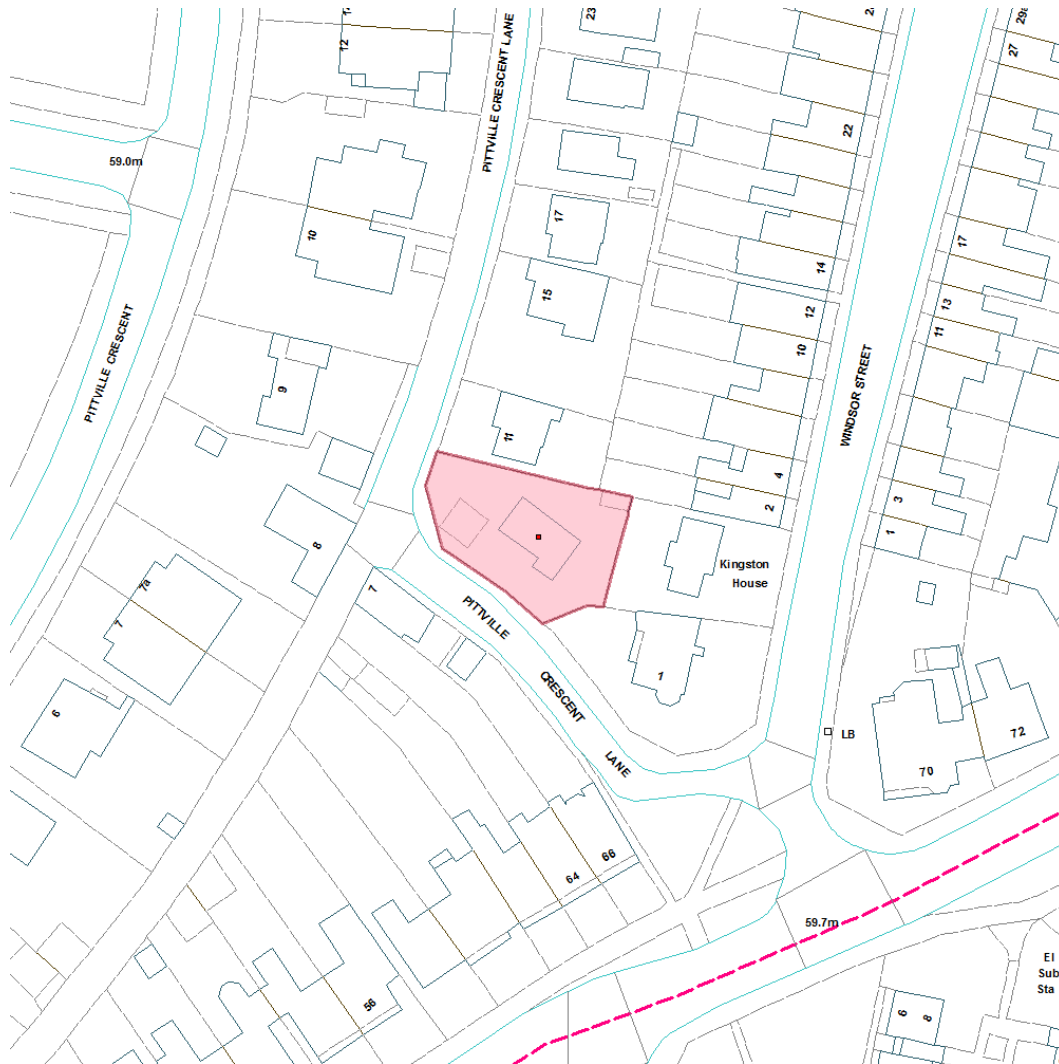
8 Any other items the Chairman determines urgent and requires a decision

There were none.

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APPLICATION NO: 23/00359/FUL	OFFICER: Michelle Payne
DATE REGISTERED: 3rd March 2023	DATE OF EXPIRY: 28th April 2023
DATE VALIDATED: 3rd March 2023	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT: Mr Brad Jacklin	
AGENT: Homeplan Drafting Services	
LOCATION: 3 Pittville Crescent Lane Cheltenham Gloucestershire	
PROPOSAL: Two storey/single storey side and rear extensions and new vehicular entrance with dropped kerb (revised scheme following grant of planning permission ref. 22/02122/FUL)	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the eastern side of Pittville Crescent Lane and comprises a detached, modern, two storey dwelling, and detached garage, within a reasonably sized, irregular shaped, corner plot. Both the dwelling and garage are faced in red brick, with stone quoin detailing, and pitched tiled roofs. Vehicular access to the site is currently provided from the south.
- 1.2 Planning permission (ref. 22/02122/FUL) was recently granted in February this year for the erection of two storey side and rear extensions, and a new vehicular entrance with dropped kerb. It was also proposed to render the entire property and install replacement windows throughout. The scheme was amended during the course of the application to reduce the width of the side extension at first floor.
- 1.3 This application now proposes an amended scheme for a two storey side extension and a single storey rear extension, together with the new vehicular access with dropped kerb, and replacement windows. Works have commenced on site since the previous grant of planning permission, and this application is therefore, in part, retrospective.
- 1.4 The application is before the planning committee at the request of Cllr Tooke due to *“the creeping scope of the project and changes in the specifications.”*
- 1.5 This report should be read in conjunction with the officer report which accompanies the original decision (Appendix 1).

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area
Residents Association

Relevant Planning History:

99/50290/FUL Single storey domestic extension	PERMIT	18th November 1999
22/02122/FUL Two storey side and rear extensions and new vehicular entrance with dropped kerb	PERMIT	10th February 2023

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 9 Promoting sustainable transport
Section 12 Achieving well-designed places

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS) Policies

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

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Cheltenham Climate Change SPD (2022)

4. CONSULTATION RESPONSES

Building Control

14th March 2023

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

GCC Highways Development Management

30th March 2023

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

The justification for this decision is provided below.

This is a similar revision of the previously permitted 22/02122/FUL proposal therefore the comments remain unchanged. The extension is not considered to significantly increase the traffic generation of the site within Cheltenham. The site is located within walking distance of regular bus services to the town centre and other amenities as well as the rail station and wider national connections with footways and suitable roads for cyclists reducing vehicle dependency.

The new vehicular access is sought to include a low 0.6m maximum high solid boundary treatment with visibility 2m from the boundary with number 11 to the north and south of the driveway edge to ensure pedestrian visibility for emerging vehicles with vehicle crossover aligned accordingly. There is a gully drain on the carriageway edge adjacent to the drop kerb which may require relocations as part of highway works agreement for the required vehicle crossover subject to separate Local Highway Authority application process.

Emerging vehicle visibility from the proposed new access is acceptable.

The existing vehicle access must be stopped up and vehicle crossover restored as full height footway to avoid unnecessary hazard to highway and footway users.

Garage parking is not counted toward parking provision due to possible conversion to habitable rooms and Manual for Streets surveys the majority are not used for vehicle parking. However it would provide secure covered cycle storage space and as 3 off-road spaces are indicatively shown it is considered parking is sufficient.

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

Conditions

Provision of Pedestrian Visibility Splays

The Development hereby approved shall not be occupied/brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety according to INF1 of the Local Core Strategy, Local Transport Plan and NPPF paragraphs 110, 111 and 112.

Completion of Vehicular Access

The development hereby approved shall not be occupied or brought into use until the means of access for vehicles, pedestrians and cyclists shown on Proposed Block Plan drawing AE-05(900491)001 has been reduced by 2m from the northern site boundary but otherwise completed in accordance with the plan.

Reason: In the interest of highway safety according to INF1 of the Local Core Strategy, Local Transport Plan and NPPF paragraphs 110, 111 and 112.

Reinstatement of Redundant Access

The vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed and reduced to pedestrian only access gateway up to 1 metre width with vehicle crossover reinstated as full height footway. Reason: In the interests of highway safety according to INF1 of the Local Core Strategy, Local Transport Plan, and NPPF paragraphs 110, 111 and 112.

Informatives

Alterations to Vehicular Access

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require a footway crossing from the carriageway under the Highways Act 1980 - Section 184 and reinstatement of redundant crossover to full height footway and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent to eight neighbouring properties. In response to the publicity, an objection has been received from the neighbour to the north (Laburnum Cottage). The comments have been circulated in full to members but the objections relate to:

- The addition of new first floor windows to the rear of the property
- The use of brickwork to match existing
- The installation of Anthracite grey windows and doors
- Impact on the adjacent conservation area
- Proximity to a tree

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to design, impact on neighbouring amenity, and highway safety.

6.2 Design

6.2.1 The principle of erecting a two storey side extension has been established by the recent grant of planning permission in February this year. The width of the extension at

first floor was reduced during the course of the previous application to 4 metres; and the extension now proposed is the same width as that previously approved. As such, the only consideration is whether a brick finish to match the existing building is now acceptable; the extension previously proposed to be rendered together with the main dwelling. In this regard, whilst it is acknowledged in the previous officer report that the application dwelling currently stands out within the street scene, as many of the surrounding buildings are rendered or faced in a lighter brick, officers consider the use of facing brick to match existing to be wholly appropriate. Planning permission was not previously granted only on the basis that the extension and property be rendered.

6.2.2 In addition, the insertion of grey uPVC replacement windows in lieu of aluminium is considered to be acceptable; the principle of inserting replacement windows throughout the dwelling having again been established through the recent grant of planning permission.

6.2.3 The single storey rear extension now proposed could, in isolation, be constructed as permitted development, thereby not requiring planning permission; however, it is shown on the plans for completeness. The extension does not exceed 4 metres in depth and has an overall height of 3 metres. Furthermore, new rear facing, first floor windows could also be installed within the existing building as permitted development; and it would therefore be unreasonable to require these windows to be obscurely glazed, albeit one window will serve an en-suite shower room.

6.2.4 From a design perspective, the alterations and extensions now proposed are considered to be wholly acceptable. The proposals will not result in any harmful impact on the adjacent conservation area.

6.3 Neighbouring amenity

6.3.1 Adopted CP policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality; these requirements are reiterated in adopted JCS policy SD14. CP paragraph 14.4. states that *"In assessing the impacts of a development including any potential harm, the Council will have regard to matter including loss of daylight; loss of outlook; loss of privacy..."*

6.3.2 The scale and massing of the side extension has been previously found to be acceptable in terms of its impact on the property to the north, no. 11 Pittville Crescent Lane. The use of facing brick in the external alterations does not result in any additional impact; and no additional windows are proposed within the extension.

6.3.3 Whilst the single storey rear extension will sit in relatively close proximity to the boundary within this neighbour property, as previously noted, this extension could be constructed as permitted development. No first floor rear additions are now proposed.

6.3.4 As such, officers are satisfied this revised scheme will not result in any additional overlooking or loss of privacy. A condition has been added to restrict the insertion of any additional windows, doors or openings within the side extension without the benefit of planning permission.

6.4 Highway safety

6.4.1 The provision of an access in the proposed location has also been previously agreed; the Local Highway Authority raising no objection subject to conditions. The proposals continue to be acceptable on highway grounds.

6.5 Other considerations

Climate change

6.5.1 In response to the recently adopted Cheltenham Climate Change SPD, a brief Sustainability Statement has been submitted which sets out the measures proposed as part of this development; whilst limited, the measures are considered to be appropriate to the scale of development proposed.

Tree in neighbour's garden

6.5.2 Whilst the neighbour has raised concern in relation to the proximity of the rear extension to a tree within their garden, as previously noted, the rear extension could be built as permitted development. As such, it is not considered necessary to secure any additional tree-related information.

Public Sector Equalities Duty (PSED)

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

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

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

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

7. CONCLUSION AND RECOMMENDATION

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

8. SUGGESTED 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 provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors or openings shall be formed in the side extension without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 4 The new vehicular access shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway have been provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

- 5 The new vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed and the vehicle crossover reinstated as full height footway.

Reason: In the interests of highway safety, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

INFORMATIVES

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

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

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

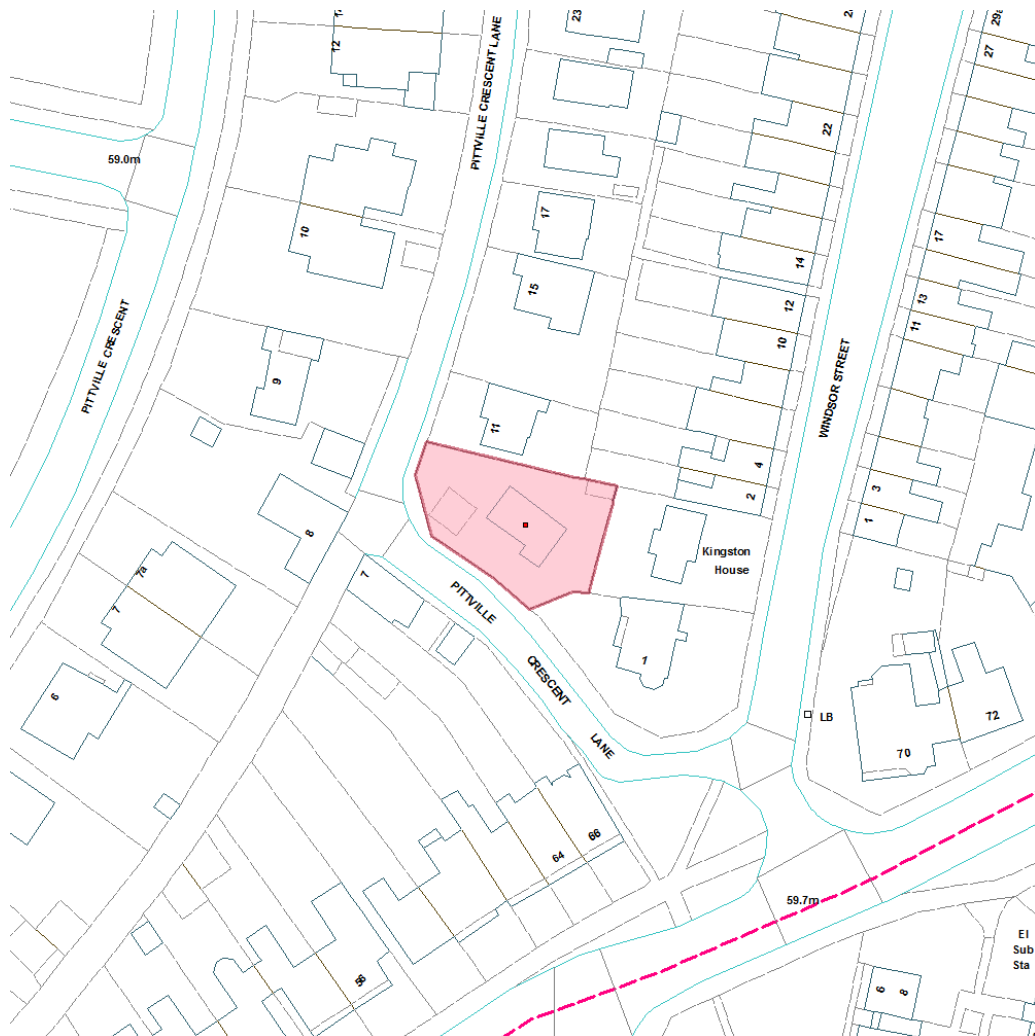
- 2 The applicant is advised that the construction of the new vehicular access will require a footway crossing from the carriageway under Section 184 of the Highways Act 1980, and the reinstatement of the redundant crossover to full height footway. The applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full details can be found at www.gloucestershire.gov.uk.

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Delegated Officer Report

APPLICATION NO: 22/02122/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 1st December 2022		DATE OF EXPIRY: 26th January 2023 (extension of time agreed until 10th February 2023)
DATE VALIDATED: 1st December 2022		DATE OF SITE VISIT:
WARD: Pittville		PARISH:
APPLICANT:	Mr Brad Jacklin	
AGENT:	H A Planning	
LOCATION:	3 Pittville Crescent Lane Cheltenham Gloucestershire	
PROPOSAL:	Two storey side and rear extensions and new vehicular entrance with dropped kerb	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the eastern side of Pittville Crescent Lane and comprises a detached, modern, two storey dwelling, and detached garage, within a reasonably sized, irregular shaped, corner plot. Both the dwelling and garage are faced in red brick, with stone quoin detailing, and pitched tiled roofs. Vehicular access to the site is currently provided from the south.
- 1.2 The applicant is seeking planning permission for the erection of two storey side and rear extensions, and a new vehicular entrance with dropped kerb. It is also proposed to render the entire property.
- 1.3 Revised plans have been submitted during the course of the application and these are discussed in the report below.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area
Residents Association

Relevant Planning History:

99/50290/FUL

PERMIT

18th November 1999

Single storey domestic extension

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 9 Promoting sustainable transport
Section 12 Achieving well-designed places

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS) Policies

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

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Cheltenham Climate Change SPD (2022)

4. CONSULTATION RESPONSES

Building Control

8th December 2022

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

GCC Highways Development Management

20th December 2022

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

The justification for this decision is provided below.

The extension is not considered to significantly increase the traffic generation of the site within Cheltenham. The site is located within walking distance of regular bus services to the town centre and other amenities as well as the rail station and wider national connections with footways and suitable roads for cyclists reducing vehicle dependency.

The new vehicular access is sought to include a low 0.6m maximum high solid boundary treatment with visibility 2m from the boundary with number 11 to the north and south of the driveway edge to ensure pedestrian visibility for emerging vehicles with vehicle crossover aligned accordingly. There is a gully drain on the carriageway edge adjacent to the drop kerb which may require relocations as part of highway works agreement for the required vehicle crossover subject to separate Local Highway Authority application process.

Emerging vehicle visibility from the proposed new access is acceptable.

The existing vehicle access must be stopped up and vehicle crossover restored as full height footway to avoid unnecessary hazard to highway and footway users.

Garage parking is not counted toward parking provision due to possible conversion to habitable rooms and Manual for Streets surveys the majority are not used for vehicle parking. However it would provide secure covered cycle storage space and as 3 off-road spaces are indicatively shown it is considered parking is sufficient.

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

Conditions

Provision of Pedestrian Visibility Splays

The Development hereby approved shall not be occupied/brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety according to INF1 of the Local Core Strategy and NPPF paragraphs 110, 111 and 112.

Completion of Vehicular Access

The development hereby approved shall not be occupied or brought into use until the means of access for vehicles, pedestrians and cyclists shown on Proposed Block Plan drawing AE-05(900491)001 has been reduced by 2m from the northern site boundary but otherwise completed in accordance with the plan.

Reason: In the interest of highway safety according to INF1 of the Local Core Strategy and NPPF paragraphs 110, 111 and 112.

Reinstatement of Redundant Access

The vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed and reduced to pedestrian only access gateway up to 1 metre width with vehicle crossover reinstated as full height footway.

Reason: In the interests of highway safety according to INF1 of the Local Core Strategy and NPPF paragraphs 110, 111 and 112.

Informatives

Alterations to Vehicular Access

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require a footway crossing from the carriageway under the Highways Act 1980 - Section 184 and reinstatement of redundant crossover to full height footway and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or

highways@gloucestershire.gov.uk before commencing any works on the highway.

Full Details can be found at www.gloucestershire.gov.uk.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent to eight neighbouring properties. In response to the publicity, objections have been received from the residents of two properties; with one representation supported by a series of photos. The main objections relate to:

- Overshadowing from the rear extensions
- The overbearing nature of the extensions
- Highway safety as a result of the new vehicular access

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to design, impact on neighbouring amenity, and highway safety.

6.2 Design

6.2.1 Adopted CP policy D1 requires all new development to complement and respect neighbouring development and the character of the locality and/or landscape. Additionally, alterations and extensions to existing buildings should avoid causing harm to the architectural integrity of the building; and the unacceptable erosion of open space around the existing building. The policy is generally consistent with adopted JCS policy SD4 and advice set out within Section 12 of the NPPF.

6.2.2 Overall, from a design perspective, the proposed alterations and extensions are considered to be acceptable. The side extension is marginally set back from the principal elevation behind the garage, resulting in a slightly lower ridge, and is of an appropriate width; the first floor element having been reduced to 4 metres in width. To the rear, the extension extends 2.5 metres from the rear elevation, with two two storey gable projections with a central single storey element. Overall, the extensions can be comfortably accommodated within the site, and will clearly read as subservient later additions to the property.

6.2.3 Externally, the property is proposed to be rendered, which is wholly appropriate in this location. Many of the surrounding buildings are rendered, or faced in a lighter brick, and the application dwelling currently stands out within the street scene. In addition, the insertion of aluminium replacement windows is considered to be acceptable in this modern dwelling.

6.2.4 The changes to the garage are relatively modest, with the existing roller shutter door opening blocked up and replaced with a window, and a new door installed in the west elevation. Again, the garage is shown to be faced in render.

6.3 Neighbouring amenity

6.3.1 Adopted CP policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality; these requirements are reiterated in adopted JCS policy SD14. CP paragraph 14.4. states that *“In assessing the impacts of a development including any potential harm, the Council will have regard to matter including loss of daylight; loss of outlook; loss of privacy...”*

6.3.2 In this case, the property that has the most potential to be affected by the proposed extensions is no. 11 Pittville Crescent Lane to the north. This property has windows in its side elevation facing the site, which serve bedrooms, albeit one is located high in the gable and will not be affected. Additionally, the window at first floor will not be unduly compromised in terms of daylight; the extension will be some 4 metres from the window and passes the 25° light test. The reduction in the width of the extension at first floor will also ensure that outlook from this window is not significantly compromised.

6.3.3 The rear extension whilst extending closer to the side boundary of the neighbouring garden, will still be 1.6 metres away at its closest point, increasing to 5.6 metres towards the rear of the garden. As such, whilst the concerns raised by the neighbour have been duly noted, officers are satisfied that the extensions will not cause any unacceptable harm in terms of outlook or daylight/sunlight; and certainly not to the extent that planning permission could be withheld on such grounds. The neighbouring property is differently orientated, with its rear elevation facing east.

6.3.5 In addition, the only first floor window proposed in the rear of the extension will serve an en-suite and is annotated to be obscurely glazed; however, for the avoidance of doubt, this can be controlled by condition. As such, officers are satisfied that no overlooking or loss of privacy will occur as a result of the proposals. An additional condition has been added to restrict the insertion of any additional windows, doors or openings without the benefit of planning permission.

6.4 Highway safety

6.4.1 Adopted JCS policy INF1 requires all development proposals to ensure a safe and efficient access to the highway is provided for all users; permission will only be refused on highway grounds where the impact of the development upon the local highway network would be severe. The policy is wholly consistent with Section 9 of the NPPF.

6.4.2 From a highway safety perspective, the application has been reviewed by Gloucestershire County Council, as the Local Highway Authority acting in its role as Statutory Consultee, who raise no objection subject to conditions; concluding *“that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.”*

6.4.3 As such, whilst the local concerns in relation to highway safety have been duly noted, officers are satisfied that, subject to the suggested highway conditions, the proposals are acceptable on highway grounds.

6.4.4 The neighbour comments in relation to the ‘One-way street’ annotation on the drawing are noted, but the application has not been determined on this basis. Officers are aware that the road is two-way at this point; albeit, vehicles are prohibited from entering Pittville Crescent Lane at its northern end.

6.5 Other considerations

Climate change

6.5.1 The recently adopted Cheltenham Climate Change SPD provides guidance on how applicants can successfully integrate a best-practice approach towards climate change and biodiversity in all new development proposals. In response to the SPD, a brief Sustainability Statement has been submitted which sets out the measures proposed as part of this development; whilst limited, the measures are considered to be appropriate to the scale of development proposed.

Public Sector Equalities duty (PSED)

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

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

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

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

7. CONCLUSION AND RECOMMENDATION

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

8. CONDITIONS

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

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

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

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

- 3 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor ensuite window in the rear extension shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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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).

- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors or openings shall be formed in the extensions without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 5 The new vehicular access shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway have been provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

- 6 The new vehicular development shall not be brought into use until the means of access for vehicles, pedestrians and cyclists shown on Drawing No. AE-05(900491)001 has been reduced by 2m from the northern site boundary but otherwise completed in accordance with the plan.

Reason: In the interests of highway safety, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

- 7 The new vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed and the vehicle crossover reinstated as full height footway.

Reason: In the interests of highway safety, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

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 reduce the scale of the proposed side extension in order to lessen the impact on the neighbouring property. Following these

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

- 2 The applicant is advised that the construction of the new vehicular access will require a footway crossing from the carriageway under the Highways Act 1980 - Section 184 and reinstatement of redundant crossover to full height footway. The applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full details can be found at www.gloucestershire.gov.uk.

Approved Plans

Reference	Type	Received	Notes
02122.01.	OS Extract	30th November 2022	
AE-05(900491)003.	Rev Drawing	2nd February 2023	
AE-15(900491)002.	Rev Drawing	2nd February 2023	
AE-06(900491)002.	Rev Drawing	23rd January 2023	
AE-07(900491)002.	Rev Drawing	23rd January 2023	
AE-08(900491)003.	Rev Drawing	23rd January 2023	

CASE OFFICER: _____ Michelle Payne

AUTHORISING OFFICER: _____ Ben Warren

DATE: 10.02.23

APPLICATION NO: 23/00359/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 3rd March 2023	DATE OF EXPIRY : 28th April 2023
WARD: Pittville	PARISH:
APPLICANT:	Mr Brad Jacklin
LOCATION:	3 Pittville Crescent Lane Cheltenham Gloucestershire
PROPOSAL:	Two storey/single storey side and rear extensions and new vehicular entrance with dropped kerb (revised scheme following grant of planning permission ref. 22/02122/FUL)

REPRESENTATIONS

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

Laburnum Cottage
 11 Pittville Crescent Lane
 Cheltenham
 Gloucestershire
 GL52 2RA

Comments: 12th March 2023

I am writing to object to the revised proposal at 3 Pittville Crescent Lane.

Although the rear extension is now only single storey and therefore less overbearing, we note that there are now two additional windows added to the current elevation and overlooking our property. One is to a shower room and we assume this would be frosted glass and non-opening, but the other is shown in the wall of a bedroom. This would considerably impact our privacy if it were to be clear glazed and opening.

On the previous application approval was given based on the finish being a light coloured render, "appropriate to the area". This new proposal is to match the existing dark red brick of what is a rather ugly looking building, which would only serve to compound the issue at this site. It is already being laid as I write. The intention is still to install anthracite coloured Aluminium and UPVC windows, which against the dark red brick would look very oppressive.

I have read the CBC document regarding the area of character bordering a conservation area , and note references to negative buildings in Pittville, and the policy to improve their appearance.

Surely this should have been an opportunity to improve one of a few in the neighbourhood!

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One final note which refers to the planning application form under the heading 'Trees and Hedges'. We have a large, rather old tree close to the boundary and therefore close to the rear extension, with the root structure most likely extending beneath the boundary line on to their property. It is in very much 'falling distance' from the proposed development.

Laburnum Cottage
11 Pittville Crescent Lane
Cheltenham
Gloucestershire
GL52 2RA

Comments: 23rd March 2023

Letter attached.

From: [REDACTED]
Sent: 23 March 2023 12:42
To: Built Environment (CBC) <planning@cheltenham.gov.uk>
Subject: Re: 23/00359/FUL FAO Miss Michelle Payne

You don't often get email from [REDACTED] [learn why this is important](#)

Dear Miss Payne,

I thought it was an idea to update you of the continued build at 3 Pittville Crescent Lane. It has carried on regardless of the new application as though it was a formality.

In the photos I have supplied I have indicated where the proposed new window would be installed – in what is now a side elevation as the front entrance is now in a new location. You will see the impact this has over our privacy particularly in our rear garden. The photos also show the close proximity of the 2 storey extension as viewed from our bedroom window.

Kind regards,

[REDACTED]

11 Pittville Crescent Lane





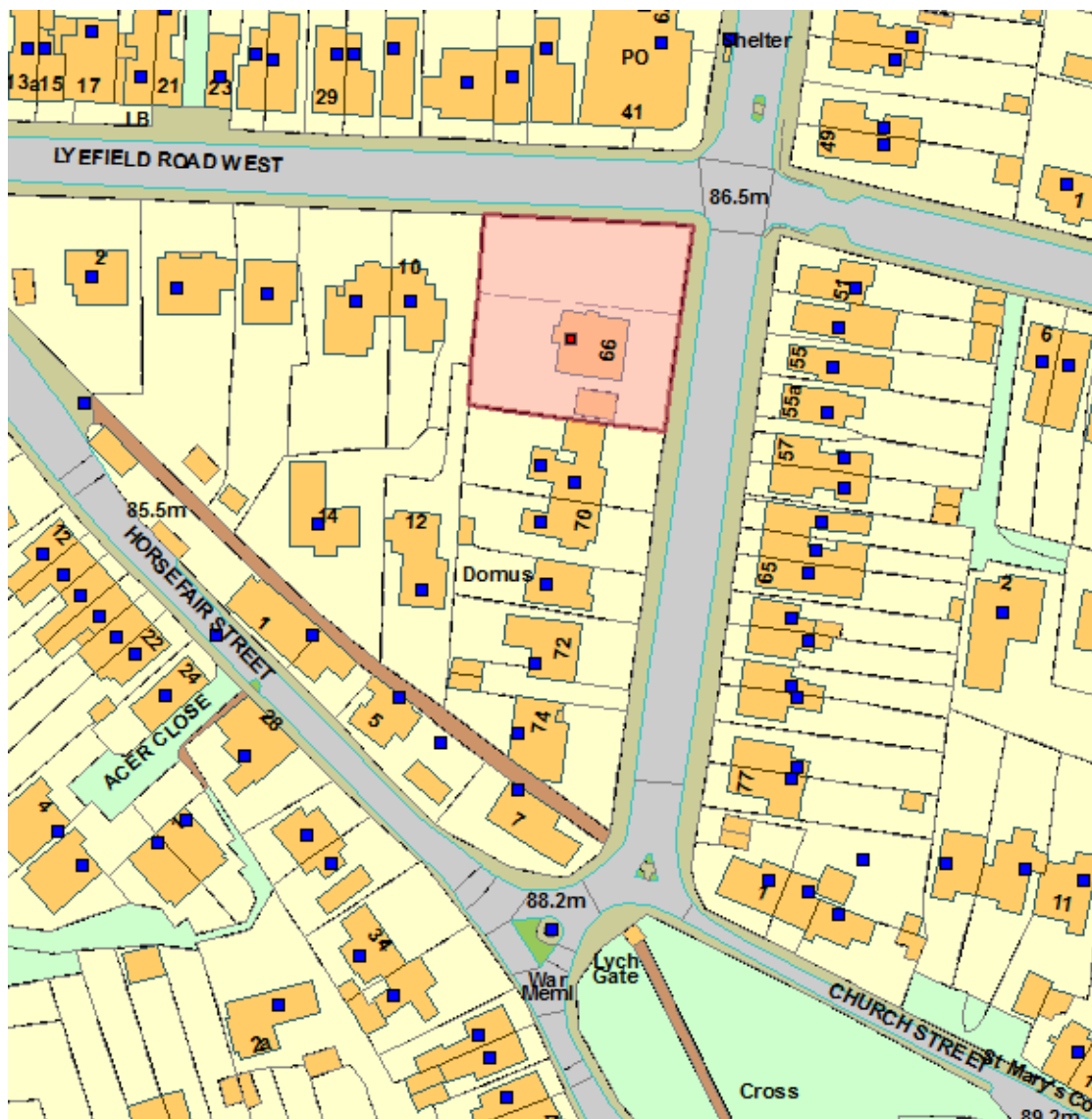




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APPLICATION NO: 23/00502/CACN	OFFICER: Sam Reader
DATE REGISTERED: 23rd March 2023	DATE OF EXPIRY: 4th June 2023
DATE VALIDATED: 23rd March 2023	DATE OF SITE VISIT:
WARD: Charlton Kings	PARISH: Charlton Kings
APPLICANT:	Vanessa Rodrigues
AGENT:	
LOCATION:	66 Copt Elm Road
PROPOSAL:	Remove: 1 Lawson cypress, 1 sycamore, 1 twin-stemmed sycamore

RECOMMENDATION: No objections



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Group of trees visible from Lyefield Rd West. Sycamore and Lawson cypress are both in poor condition and all trees in the group are suffering, probably from competition for water. The twin-stemmed sycamore has grown within the group and so its form would be poor were it to be retained and the other trees removed. It has some dead wood in the crown, most likely caused by squirrel damage. Two cypresses to the east (proposed for retention) have a low vitality, and are showing signs of water stress (thin, patchy brown foliage).
- 1.2 The application site is within the Conservation Area and accordingly consent is required from the Local Planning Authority before work can commence. The proposal seeks removal of three trees.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Chapter 12, sub-article 131

Town and Country Planning Act 1990

Part 8, Chapter 1 – Trees

Cheltenham Plan

Policy GI2 and GI3

4. CONSULTATION RESPONSES

- 4.1. The application was called to Planning Committee for decision by Cllr McCloskey.

5. PUBLICITY AND REPRESENTATIONS

- Neighbours at 13 properties were consulted. 1 site notice was put up.

6. OFFICER COMMENTS

- 6.1 None of the cypresses are in good physiological condition. The single-stem sycamore and cypress proposed for removal are in poor condition. The twin-stemmed sycamore would not have good form if other trees around it were removed. Although the trees have high visibility, they would not be classified as grade A (and possibly not grade B) as per the BS5837 cascade chart (used to assess tree value in planning applications). Using TEMPO guidance, the twin-stemmed sycamore may score highly enough to be retained but the removal of surrounding trees would leave it exposed and with such poor form, a relatively low amenity value tree. Added to this, the union at the base of the stems is codominant – codominant stems have a relatively higher incident rate of total failure.
- 6.2 The applicant has stated to Trees Officers that she wishes to replant the garden with other trees. She has safety concerns over the trees - the twin-stemmed sycamore has dropped deadwood into the garden and street.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Given the above it is the view of officers that a TPO in this case would be inappropriate. Although the trees no doubt have some habitat value, their amenity value is relatively low (especially individually) and the applicant has committed to replanting the site.
- 7.2 Although it is regrettable when large or prominent trees are to be removed the key consideration the Local Planning Authority Trees Officers do not consider the trees to have sufficiently high amenity value to be worthy of retention as defined within the Cheltenham Local Plan: Policy G13 which states:

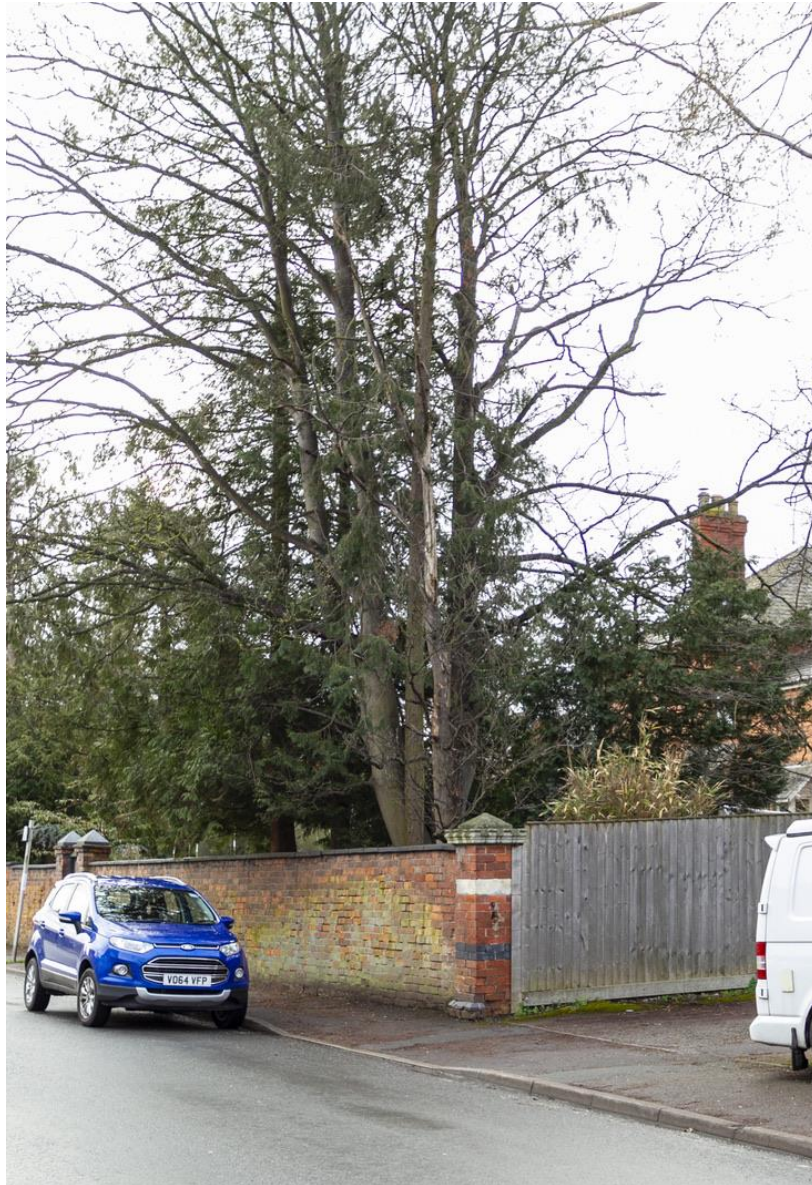
Note 1: 'High value' means a sound and healthy tree with at least 10 years of safe and useful life remaining, which makes a significant contribution to the character or appearance of a site or locality.

- 7.3 On this basis the recommendation is one of no objection.

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Application for Tree Works – 23/00502/CACN
66 Copt Elm Road, Charlton Kings, Cheltenham GL53 8AW

The proposal is to take down three poor quality trees (two sycamores and one Lawson Cypress) and replace with one Atlas Cedar. The current trees are planted in very close proximity to one another and close to two adjacent conifers. None are thriving (as shown in the photographs below).



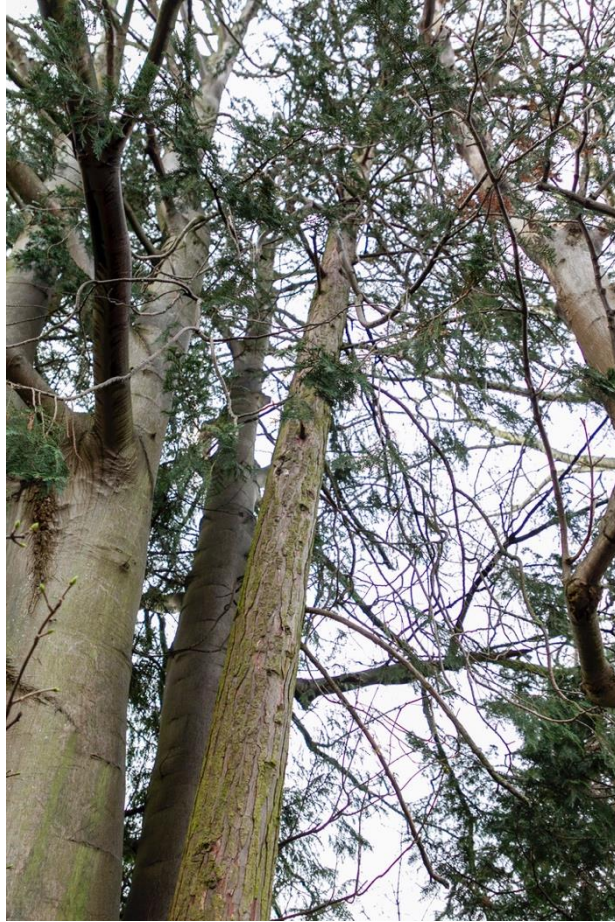
Street scene from west along Lyefield Road West



Closer view



T1 Sycamore appears to be severely diseased



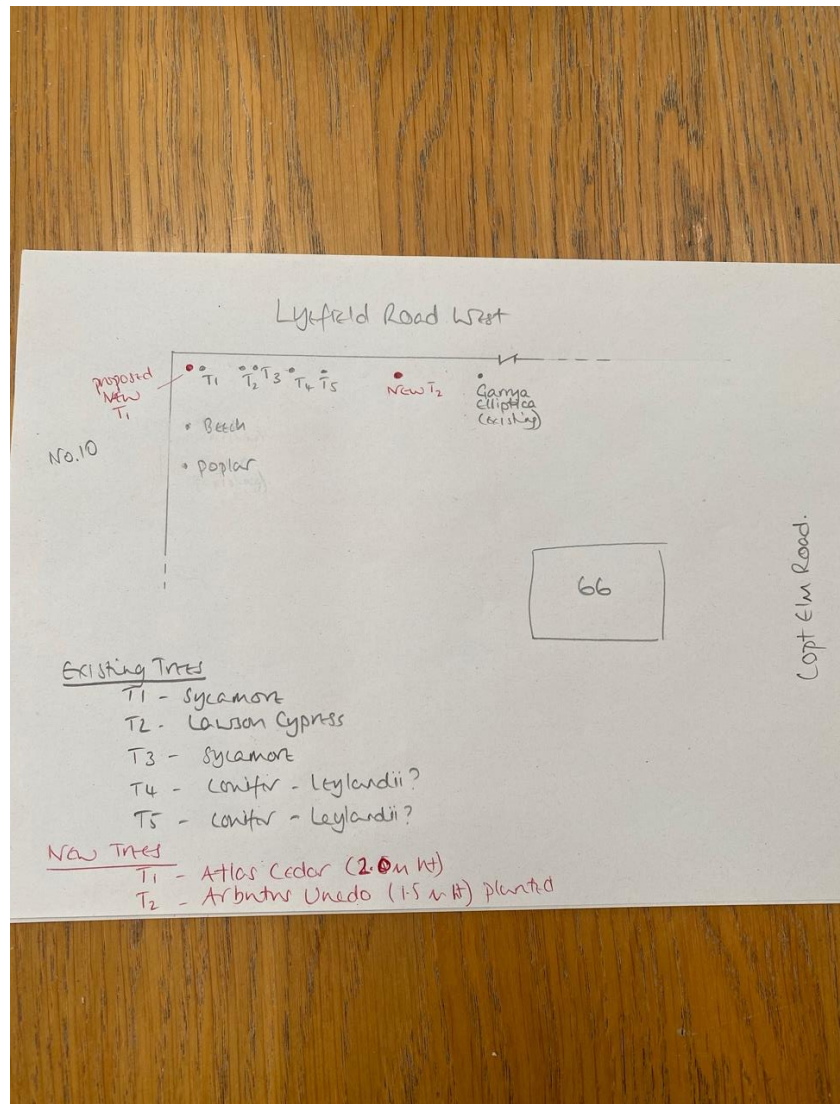
T2 Lawson Cypress is poor specimen with sparse greenery





T3 Sycamore – appears to be diseased with several large boughs having died and fallen.

Planting Schedule



- T1 - Fell
- T2 - Fell
- T3 - Fell
- T4 - Retain
- T5 - Retain

New T1: Atlas Cedar – 2.0m (proposed - to be planted in corner)
 New T2: Arbutus Unedo – 1.5 m (recently planted adjacent to T5)



Atlas Cedar (to be relocated)



Arbutus unedo (recently planted)

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From:

Sent: 22 March 2023 22:43

To: Sam Reader <Sam.Reader@cheltenham.gov.uk>

Subject: Re: 23/00133/CACN - 66 Copt Elm Road

Hi Sam,

Further to my previous tree application (ref above) and your visit last week we have now reconsidered our options and will take on board your wish for a staged application - however we do still wish to fell the sycamores and one conifer in phase one. Our reasoning for this is:

1) we wish to place a feature tree (cedar) in the corner and feel the removal of the trees nearest to the corner will improve the light and allow more space for a corner tree to flourish.

2) the three trees to be felled are of a poor quality. One sycamore is practically dead, the other is mishapen and frequently loses large branches both into our garden and onto the street. The conifer is also of a very poor quality and nearing the end of its life.

3) retaining (for the time being) the two adjacent conifers which are evergreen will maintain the screening for ourselves and our neighbours across Lyefield Road.

I hope you will consider our amended application favourably in due course.

Your colleague mentioned about a contractor who would be able to move our existing cedar tree. If you can pass on details we would be very grateful.

Kind regards

Sent from my iPhone

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On 1 Mar 2023, at 11:55, Sam Reader
<Sam.Reader@cheltenham.gov.uk> wrote:

Hi Vanessa

This email is sufficient to withdraw the application.
Many thanks for that.

I think it might be best if we meet again to discuss
how to proceed. We need to balance
your needs as a homeowner with the concerns of the Ward
Councillors who wish to
represent the wider interests of the Conservation Area.
Can I pop over on Weds 15th or
Thurs 16th at some point? Or the following week if
thats better for you.

Kind regards
Sam

Sam Reader
Assistant Trees Officer

Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

07385469279

Note - My working days are Wednesdays and Thursdays
with a half day on Friday.

From:
Sent: 28 February 2023 22:30
To: Sam Reader <Sam.Reader@cheltenham.gov.uk>
Subject: Re: 23/00133/CACN - 66 Copt Elm Road

Hi Sam

Please can you tell me how to withdraw the application.

I will submit an amended version.

We would like to plant a feature tree in the corner and so would still like to remove the sycamores (one is virtually dead and the larger one has many dead limbs) and the cypress that is closest to allow more light for a new corner tree to grow properly, but we will retain the other two conifers with reduced height. Hopefully this will be acceptable.

Kind regards

Sent from my iPhone

On 24 Feb 2023, at 13:47, Sam Reader <Sam.Reader@cheltenham.gov.uk> wrote:

Hi Vanessa

Nothing from neighbours so far. You can check by going to the Public Access section of our website and searching for the application ref (23/00133/CACN).

Have a think and let me know how you want to proceed.

All the best
Sam

Sam Reader
Assistant Trees Officer

Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham

GL50 9SA

07385469279

Note - My working days are Wednesdays and Thursdays with a half day on Friday.

From: >

Sent: 24 February 2023 13:29

To: Sam Reader <Sam.Reader@cheltenham.gov.uk>

Subject: Re: 23/00133/CACN - 66 Copt Elm Road

Thanks Sam.

We will consider over the weekend. Have any of the neighbours expressed any views?
Kind regards

Vanessa

Sent from my iPhone

On 24 Feb 2023, at 11:51, Sam Reader <Sam.Reader@cheltenham.gov.uk> wrote:

Hi

A withdrawal would take the decision to TPO the trees away from Planning Committee at this point, Im not minded to protect the cypresses by TPO and Im not convinced its the right thing to do for the sycamores either. A withdrawal would mean you would need to submit another application if you wanted to do any tree works though. If you do submit another application, Id suggest its less extensive.

One concern of the councillors is that the application is a precursor to wholesale removal of trees and

subsequent development of the garden. A less extensive application for tree works might allay those fears.

Kind regards

Sam Reader
Assistant Trees Officer

Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

07385469279

Note - My working days are Wednesdays and Thursdays with a half day on Friday.

From: > Sent: 24 February 2023 11:12
To: Sam Reader <Sam.Reader@cheltenham.gov.uk>
Subject: Re: 23/00133/CACN - 66 Copt Elm Road

Thanks Sam. If we withdrew the application could the councillors still put a TPO on the trees?

We are considering the best way forward for everyone.

Thanks

Sent from my iPhone

On 24 Feb 2023, at 09:16, Sam Reader
<Sam.Reader@cheltenham.gov.uk>
wrote:

Dear

Two ward councillors have requested that your application be brought to the next meeting of the Planning Committee. They wish to see a TPO being made on the trees to stop them being felled. If the application is taken to Committee, I will be asked to make a recommendation, and you will have a chance to speak, but the final decision will be made by members (i.e. ward councillors on the Committee).

With this in mind, it may be wise to withdraw the application or alter it to e.g. remove only the cypresses and retain the sycamores, perhaps with a crown reduction and removal of deadwood of those retained trees.

Let me know your thoughts.

Kind regards

Sam Reader
Assistant Trees Officer

Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

07385469279

Note - My working days are
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REPORT OF THE HEAD OF PLANNING ON PLANNING APPEALS

OVERVIEW

The purpose of this report is to provide Members of the Planning Committee with an overview of all planning appeals that have been received by the Council since the previous meeting of the Planning Committee. It further provides information on appeals that are being processed with the Planning Inspectorate and decisions that have been received.

RECOMMENDATION

To note the contents of the report.

Appeals Received

March/April 2023

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
23 and 23A Pittville Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens,	Delegated Decision	Written reps	n/a	22/00326/ADV and FUL
195 High Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s)	Delegated Decision	Written Reps	n/a	22/00328/ADV and FUL

Land Adjacent To Oakhurst Rise Cheltenham Gloucestershire	Outline application for residential development of 25 dwellings - access, layout and scale not reserved for subsequent approval	Committee Decision	Written Reps	n/a	22/00112/OUT
Telecommunications Mast And Cabinet CLM26321 Glenfall Way	Proposed 5G telecoms installation: H3G 16m street pole and additional equipment cabinets	Delegated Decision	Written Representations	n/a	22/02190/PRIOR
53 Alstone Lane	Erection of a single storey dwelling on land to rear of the existing property	Delegated Decision	Written Representations	n/a	22/02201/FUL

4 Dymock Walk	Application for prior approval for the construction of one additional storey atop the existing dwelling (increase in height of 2.13 metres)		Written Representation (Householder)	n/a	22/02075/PRIOR
201 Gloucester Road	Installation of raised, split level patio area with boundary treatments (Retrospective).	Delegate Decision	Written representation	n/a	22/01964/FUL

Appeals being processed

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Brecon House Charlton Hill Cheltenham Gloucestershire GL53 9NE	Construction of a paragraph 80 dwelling, estate management building, and associated landscaping, ecology enhancements,	Committee Decision	Appeal Hearing (22.03.23)	Not decided	Planning ref: 21/02755/FUL Appeal ref: 23/00001/PP1
30 St Georges Place	Conversion to form 7no. dwellings, together with extensions and construction of new mansard roof	Delegated Decision	Written Representation	Not Decided	Planning ref: 22/00839/FUL Appeal Ref: 23/00002/PP1

3 Apple Close	Replacement of existing conservatory with single storey rear extension. Increase in ridge height to facilitate loft conversion with rear dormer.	Delegated Decision	Written Representation (Householder)	Not Decided	Planning ref: 22/01145/FUL Appeal Ref: 23/00003/PP1
37 Market Street	Proposed side and rear extensions (revised scheme following refusal of application ref. 21/02361/FUL	Committee Decision	Written Representation	Not Decided	Planning ref: 22/00708/FUL Appeal ref: 23/00004/PP1
Land at Shurdington Rd	Full planning application for residential development comprising 350 dwellings, open space, cycleways, footpaths, landscaping, access roads and other	Committee Decision	Written Representation (On Hold now a procedure Change)	Not Decided	Planning ref: 20/01788/FUL Appeal ref: 23/00005/PP1

101 Ryeworth Road	Erection of two storey and single storey rear extensions and single storey front extension.	Non-Determination	Written Representation	Not Decided	Planning ref: 22/01162/FUL Appeal Ref: 23/00006/PP2
129 – 133 Promenade	Retention of existing temporary marquees at 125, 127, 129, 131 further two year period and 133 Promenade, Cheltenham for a	Committee Decision	Written representation	Not Decided	Planning ref: 22/01373/FUL Appeal Ref: 23/00007/PP1
St Edmunds, Sandy Lane Road	Conversion and extension of an existing coach house/garage to a single dwelling with new access off Sandy	Delegated Decision	Written representation	Not Decided	Planning ref: 22/02064/FUL Appeal Ref: 23/00008/PP1
8 Imperial Square	Proposed change of use from C3 (dwelling house) to mixed use of C1 (hotel) and E (bar and restaurant).	Delegated Decision	Written representation	Not Decided	Planning ref: 22/00334/COU Appeal ref: 23/00009/PP3

<p>Land Adjoining Leckhampton Farm Court Farm Lane Leckhampton Cheltenham Gloucestershire</p>	<p>Residential development of 30 no. dwellings (Class C3); vehicular, pedestrian and cycle access from Church Road; pedestrian and cycle access from Farm Lane; highways improvement works; public open space, landscaping, orchard planting and children's play space; surface water attenuation and other associated works</p>	<p>Delegated Decision</p>	<p>Appeal Hearing (Date of hearing 18th July 2023</p>	<p>Not Decided</p>	<p>Planning Ref: 21/02750/FUL Appeal Ref:</p>
<p>10 Suffolk Road</p>	<p>First floor extension at rear of 10 Suffolk Road on top of existing kitchen roof, comprising of 1 new bedroom and ensuite bathroom (revised scheme 22/00966/FUL)</p>	<p>Delegated Decision</p>	<p>Written Representations Householder Appeal</p>	<p>Not Decided</p>	<p>Planning ref: 22/01340/FUL Appeal ref: 23/00011/PP1</p>

28 Westdown Gardens	Erection of detached garage (revised scheme to ref: 21/01789/FUL)	Delegated Decision	Written Representations Householder Appeal	Not Decided	Planning ref: 22/01679/FUL Appeal ref: 23/00012/PP1

Appeals Decided

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
Adey Innovation Ltd Gloucester Road	Demolition of the existing office building and erection of a 66 bedroom care home for older people (Use Class C2) including associated access, parking and landscaping.	Delegated Decision	Appeal Hearing (25.01.23)	Appeal Allowed	Planning ref: 21/02700/FUL Appeal Ref: 22/00027/PP1
The Hayloft The Reddings	Conversion of the existing dwellinghouse into 9 self-contained apartments, and associated works	Committee Decision	Written Representation	Appeal Allowed	Planning ref: 22/00749/FUL Appeal Ref: 22/00028/PP1
159 High Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s) on Pavement Of Winchcombe Street Side Of Hays Travel 159 High Street	Delegated Decision	Written Representation	Appeal A and Appeal B Dismissed	Planning ref: 22/00322/ADV and FUL Appeal ref:22/00021/PP1 and 22/00022/ADV1

Authorised By: Liam Jones 11th April 2023



Appeal Decision

Site visit made on 7 February 2023

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2023

Appeal Ref: APP/B1605/W/22/3308204

The Hayloft, The Reddings, Cheltenham, Gloucestershire GL51 6RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Guild Residential Ltd against the decision of Cheltenham Borough Council.
 - The application Ref 22/00749/FUL, dated 14 April 2022, was refused by notice dated 25 August 2022.
 - The development proposed is conversion of the existing dwellinghouse into 9 self-contained apartments, and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for conversion of the existing dwellinghouse into 9 self-contained apartments, and associated works at The Hayloft, The Reddings, Cheltenham, Gloucestershire, GL51 6RL in accordance with the terms of the application, Ref 22/00749/FUL, dated 14 April 2022, subject to the conditions set out in the attached schedule.

Applications for costs

2. An application for costs was made by Guild Residential Ltd against Cheltenham Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The appellant submitted a revised plan during the appeal stage (Proposed Floor Plans, Drawing No: 22211/PL03 B, dated April 2021). This revised plan shows an amendment to the flat roof to include photovoltaic panels. As this revised drawing would alter the external appearance of the appeal building, it would materially alter the nature of the original application and if I were to accept it, I may prejudice the interested parties to comment. I also note that the appellant did not refer to this revised drawing in their Statement of Case. I have therefore determined the appeal on the basis of the plans considered by the Council when reaching their decision.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of neighbouring occupants, with particular regard to noise and disturbance.

Reasons

5. The appeal site comprises a large detached two-storey dwelling on a spacious plot. It is situated on the edge of the residential development on the southern

- side of the road. The neighbouring properties are predominantly detached dwellings. Open fields are located to the west and south of the site.
6. The proposal seeks permission for the conversion of the existing dwelling to create 9 self-contained apartments.
 7. The Council is concerned that the proposal would result in a material increase in noise and disturbance for neighbouring occupants. It is claimed that this would be caused by an intensification of activity at the appeal property which would lead to increased comings and goings, including increased vehicular movements.
 8. The dwelling adjoining the appeal site to the east is known as 'Cambria', and there is a row of detached dwellings opposite the appeal site on the other side of the road. I accept that the occupiers of Cambria and the neighbouring occupiers opposite the site could be affected by noise and disturbance from vehicles entering and existing the proposed parking area to the front of the appeal building. However, the number of vehicles doing so would be limited by the size of the parking area and I have not been provided with any technical evidence that these movements would cause unacceptable levels of noise and disturbance to the neighbouring occupiers.
 9. Furthermore, occupiers of the appeal building would not be reliant on a private motor vehicle to access services and facilities given the sustainable location of the site and the proposal's provision of a bike store and good access to nearby bus stops. In addition, future occupants would be aware of the parking constraint at the appeal site prior to choosing to live there. No compelling evidence has been submitted to demonstrate that the proposal would result in a displacement of vehicles in the vicinity of the appeal site which would in turn cause substantial amenity issues.
 10. In its existing form, the appeal property currently consists of 4 bedrooms on its first floor and a guest suite on its ground floor. The bedrooms and guest suite in the existing property could have double occupancy. It could therefore be used as a dwelling to accommodate a reasonably large family that could consist of several adults and teenagers. Such a family could generate considerable activity in the form of comings and goings and vehicular movements.
 11. In comparison, the proposal would create 9 individual residential units, which would consist of 13 bedrooms in total. The level of activity generated by the occupant's comings and goings for work, leisure, and shopping purposes, etc and the use of external amenity spaces would be more than that generated by one large family household. However, in my view, the level of activity generated by comings and goings would not be substantially different given the scale of the development and its good access to sustainable modes of transport. Furthermore, the appeal building, including its external amenity spaces, is sited in a wide, deep plot at the edge of the existing residential development with sufficient separation distances from neighbouring dwellings and is surrounded by open fields to its west and south. I also note that the Council's Environmental Health team has not raised any objections to the proposal in terms of noise or disturbance.
 12. I acknowledge the Council's concerns regarding the number of occupants at the property potentially increasing to 24 occupiers due to the potential double occupancy of bedrooms. However, the proposal before me is for 6 one-

bedroom flats, 2 two-bedroom flats, and 1 three-bedroom flat. I also note the floorspaces provided meet the minimum standards within the 'Technical housing standards - nationally described space standards (2015)' (NDSS). Thus, it is reasonable to assume that 5 of the one-bedroom flats would be single occupancy, one one-bedroom flat would be large enough for double occupancy, and the three-bedroom and two-bedroom flats would be occupied by small families. Therefore, given the parking spaces would be limited to 10 spaces, I will impose a condition to limit the total number of residents to 20 in order to control the effect of the proposal on the locality.

13. On the evidence before me and having regard to the location of the site and nearby uses, I find that the vehicular movements and the comings and goings that would be associated with the proposal would not result in a significant intensification of activity at the appeal site and would not lead to noise and disturbance that would adversely affect the living conditions of nearby residents.
14. Consequently, the proposal would not result in an unacceptable impact on the living conditions of the occupiers of neighbouring properties with particular regard to noise and disturbance. As such, the proposal would accord with Policy SL1 of the Cheltenham Plan (2020), and Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017). Collectively, these policies, amongst other things, seek to ensure development does not cause unacceptable harm to the living conditions of neighbouring occupants. In addition, the proposal would also accord with the Framework, which states that developments should create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

15. The appeal property is a substantial detached building of brick construction. Despite exhibiting some architectural features not commonly found on other buildings, it nevertheless sits comfortably in the street scene and makes a positive contribution to the character and appearance of the area. The proposal would not affect the external appearance of the building and would not detract from the contribution that it makes to the character and appearance of the area. Furthermore, the use of the building would remain as residential, which is the predominant characteristic of the local area.
16. The appeal site is located within the Green Belt. Paragraph 150 of the Framework states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. A closed list of exceptions is set out, one of which, under sub-paragraph d) includes the re-use of buildings provided that the buildings are of permanent and substantial construction. The proposal is for the conversion of the existing building and would not result in any external alterations or enlargements to the building. The proposal would provide a shared parking area to the frontage of the property with the provision of 10 parking spaces. However, this would not be dissimilar to the existing hard standing frontage in its current form. As such, the proposal would not cause harm to the openness of the Green Belt. It would not therefore represent inappropriate development in the Green Belt.

17. I have had regard to the other matters raised by residents. These include highway safety concerns relating to traffic, pedestrians and parking. Highways did not object to the application. Given the scale of the proposed development, I am satisfied that the development would not have an unacceptable impact on highway safety.
18. Local residents have also raised a number of concerns including in relation to the site's history, future additional changes, and possible development on the adjacent field. I have given careful consideration to these matters but based on the information provided they would not constitute reasons to dismiss the appeal.

Planning Balance

19. The Council concedes that it cannot demonstrate a 5-year supply (5YHLS) of deliverable housing sites as required by the Framework. The latest published figure is 2.6 years (shown in Officer's Report). This indicates that, where the requisite land supply does not exist, the most important policies for determining the application should be deemed out-of-date. Permission should therefore be granted unless: i) the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
20. The proposal is not subject to policies in the Framework that protect areas or assets of particular importance that provide a clear reason for refusing the development. The tilted balance set out within the second limb of paragraph 11d) is therefore relevant.
21. The Council's housing land supply shortfall is considerable and as such the benefits of housing delivery carry substantial weight in favour of the scheme.
22. The appeal site is situated in a sustainable location and occupants of the proposed development would have reasonable access to a wide range of services and facilities by use of sustainable modes of transport. The proposed development would make an important contribution to addressing the significant housing shortfall. It would also contribute towards economic growth during the construction phase and spending by future occupants of the development would contribute to the local economy and help support local services and facilities in the area. Taken together, the benefits of the proposal would attract substantial weight.
23. I have identified no adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The proposal constitutes a sustainable form of development within the meaning of the Framework. Therefore, having regard to the provisions of the development plan and all material considerations, I conclude that planning permission should be granted.

Conditions

24. I have considered the conditions suggested by the Council taking into account the advice within the Framework and the Planning Practice Guidance, and where necessary the wording has been amended for clarity and precision.

25. In addition to the standard time limit condition, for the purposes of certainty, a condition concerning the approved plans is also required. A condition limiting the number of occupants is necessary as a more intensive use would have different impacts.
26. In the interests of sustainable travel, I have imposed a condition requiring the provision of electric vehicle charging points, and a condition relating to the storage of bicycles. A condition is also imposed for refuse storage facilities in the interests of sustainable waste management and recycling.
27. In the interests of highway safety, a condition is imposed relating to visibility splays. To protect residential amenity, conditions relating to the flat roof area and construction hours are necessary.

Conclusion

28. For the reasons given, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Helen Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan, Drawing No: 21634/3, dated: November 2016
 - Existing Floor Plans, Drawing No: 22211/PL01, dated: February 2016
 - Existing Elevations, Drawing No: 22211/PL02, dated: February 2022
 - Proposed Floor Plans, Drawing No: 22211/PL03, dated: April 2021
 - Proposed Elevations, Drawing No: 22211/PL04, Dated: February 2022
- 3) The number of persons residing at the property at any one time shall not exceed 20.
- 4) Before first occupation, each residential unit hereby approved shall have been fitted with an Electric Vehicle Charging Point (EVCP) that complies with a technical charging performance specification, as agreed in writing by the local planning authority. Each EVCP shall be installed and available for use in accordance with the agreed specification unless replaced or upgraded to an equal or higher specification.
- 5) Prior to first occupation of the development, secure covered bicycle storage shall be provided in accordance with the approved plans. The bicycle storage shall thereafter be retained and kept available for the parking of bicycles.
- 6) Prior to the first occupation of the development hereby approved, refuse and recycling storage facilities shall be provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained as such thereafter.
- 7) The development hereby approved shall not be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.
- 8) The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or other external amenity area at any time. Access to the flat roof shall be for maintenance purposes only.
- 9) Demolition or construction works shall take place only between 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 on Saturdays, and not at any time on Sundays or on Bank or Public Holidays.

****End of Conditions****



Appeal Decisions

Site visit made on 3 March 2023

by Lewis Condé Msc, Bsc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 April 2023

Appeal A Ref: APP/B1605/W/22/3298823

Pavement on Winchcombe Street, side of Hays Travel 159 High Street, Cheltenham GL50 1DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr James Browne, BT Telecommunications Plc, against the decision of Cheltenham Borough Council.
 - The application Ref 22/00322/FUL, dated 17 February 2022, was refused by notice dated 4 April 2022.
 - The development proposed is described as 'Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s)'.
-

Appeal B Ref: APP/B1605/H/22/3298824

Pavement on Winchcombe Street, side of Hays Travel 159 High Street, Cheltenham GL50 1DF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr James Browne, BT Telecommunications Plc, against the decision of Cheltenham Borough Council.
 - The application Ref 22/00322/ADV, dated 17 February 2022, was refused by notice dated 4 April 2022.
 - The development proposed is described as 'Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s)'.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. There are two appeals at the site. Appeal A relates to the refusal of planning permission, while Appeal B is against the refusal of advertisement consent. They are intrinsically linked and raise similar issues. Therefore, to avoid repetition, I have detailed the findings under a single reasoning section. Nonetheless, each proposal and appeal has been considered individually on its own merits.

Main Issues

4. The main issues for Appeal A is whether the proposal would preserve or enhance the character or appearance of the Cheltenham Central Conservation Area and whether the setting of a nearby listed building would also be preserved.
5. The main issue for Appeal B is the effect of the proposed advertisement on the visual amenity of the area, including the Cheltenham Central Conservation Area and the setting of a nearby listed building.

Reasons (Appeals A and B)

6. The appeal site is an area of pedestrian pavement, that sits within a busy commercial section of Cheltenham town centre. The site lies on Winchcombe Street, near to its junction with High Street and is located adjacent to the side elevation of 159 High Street. Surrounding properties vary in height but are typically two to three stories and are predominantly occupied by a range of retail and commercial uses.
7. The site lies within the Cheltenham Central Conservation Area (CA), which covers a significant extent of the town centre and therefore is rather varied in its character, albeit its significance is largely derived from its history and architecture as a Regency town. The appeal site lies within the 'Old Town' character area of the CA. The special interest of this part of the CA is mainly linked to its historic layout and street patterns, including much of the ancient High Street. It also contains several listed buildings that contribute significantly to the character and appearance of the area.
8. The appeal proposal is within the setting of an adjacent Grade II listed building at nos. 159 and 161 High Street. The listed building is three storeys in height containing two ground floor shop frontages onto High Street. I find that the significance of the listed building lies in its age and architectural qualities, including its classical proportions, attractive frontage and quality detailing. The building is located on a prominent corner and its setting is largely defined by the bustling, commercial character of the surrounding area. The appeal site would mostly be viewed against the side elevation of 159 High Street. However, due to the building's position on a spacious corner, the proposed development could also be viewed together with the frontage of the listed building.
9. There is already a variety of existing street furniture nearby to the appeal site. This includes bicycle stands, bins, sign-posts, CCTV columns as well as ornamental lighting columns. The commercial character of the area is also exhibited through the display of advertisements including shop fascia's, window displays and projecting signs. Nevertheless, whilst widespread, the prevailing nature of advertisements surrounding the site is rather inobtrusive.
10. The proposal would replace an existing telephone kiosk that already includes advertisement space to one of its sides. The existing telephone kiosk does not complement the street scene and has a greater overall volume than the proposed development. I also appreciate that the proposal could be viewed as an upgrade through providing a more contemporary designed structure compared to the existing kiosk. Nevertheless, the proposal would introduce a

modern structure, which at almost 3m in height would be much taller and more prominent than the telephone kiosk it would replace.

11. It would also incorporate high-definition displays on both its sides that would feature changing advertisements. The size, illumination and changing nature of the displays would result in a far more visually intrusive structure that, even accounting for existing street furniture, would be an incongruous feature within the street scene. I note the appellant has suggested a condition could control the way that imagery is displayed on the screens. However, this would still not overcome my concerns with the proposal's effects on the character of the area.
12. Accordingly, in relation to Appeal A, the proposed Street Hub structure would be harmful to the character and appearance of the area, including failing to preserve the character and appearance of the CA and the setting of the listed building. As such, the proposed development conflicts with Policies D1 and HE3 of the Cheltenham Plan (adopted 2020) and Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 – 2031 (adopted 2017). Together these policies, amongst other matters, seek to ensure that development complements the character of a locality including respecting the historic environment.
13. With regards to Appeal B, the proposal would have an unacceptable effect on the amenity of the area. The policies of the development plan have been considered as far as they are material, and in this respect, the scheme would also conflict with the above identified policies.
14. In coming to the above view, I recognise that there have been applications approved for similar developments at several locations in Cheltenham and that these included positive feedback from the Council's Heritage and Conservation Officer. However, from the evidence before me, it appears those developments were of an alternative design, whilst were also located at sites that had differences in their precise contexts.
15. The harm that would arise to the designated heritage assets would be less than substantial. As per the National Planning Policy Framework (the Framework) the harm to the heritage assets should be weighed against any public benefits of the proposal.
16. The appellant has highlighted several public benefits associated with the appeal scheme. This includes the provision of wifi-phone calls, wayfinding tools, device charging, emergency call features as well as public messaging and interactive technology capabilities. It would also be powered by renewable energy. These are public benefits to which I give meaningful weight. Additionally, the Street Hub would embrace the Framework's objective of supporting advanced, high-quality communications infrastructure.
17. Nonetheless, the Framework establishes that great weight should be given to the conservation of designated heritage assets. Overall, I consider that the less than substantial harm that would arise from the proposal would not be outweighed by the public benefits.

Other Matters

18. The appellant highlights that the proposal would also involve the removal of a further telephone kiosk approximately 1 mile from the appeal site at the corner of Tewkesbury Road and corner of Townsend Street, outside of the Central CA.

This would result in reduced street clutter in that location. It is unclear whether this is directly linked to the appeals before me or is scheduled for removal regardless. In any case, my decision does not turn on this matter.

19. I have considered the appeal decisions that the appellant refers to. I do not have the precise context details of those proposals, but they relate to other cities, and it seems from the decisions that the surrounding environments are not comparable to the circumstances in this case. Without specific details of those proposals, including the similarity of apparatus, the siting of the development and the surroundings, I am unable to draw appropriate parallels.

Conclusion

20. For the reasons outlined above, both Appeal A and Appeal B are dismissed.

Lewis Condé

INSPECTOR

Application No.	Appeal Ref	Site Address	Appeal Type	Start Date	Questionnaire	Statement	Final Comments	Decision	Date of Decision	Costs Deci	Hearing Date	Costs awarded
21/02755/FUL	23/00001/PP1	Land at Brecon House	Hearing	10.01.2023	17.01.2023	14.02.2023	14.02.2023				22.03.2023	
22/00839/FUL	23/00002/PP1	30 St Georges Place	written	16.01.2023	23.01.2023	20.02.2023	20.02.2023					
22/01145/FUL	23/00003/PP1	3 Apple Close	written	24.01.2023	31.01.2023	28.02.2023	28.02.2023					
22/00708/FUL	23/00004/PP1	37 Market Street	written	24.01.2023	31.01.2023	28.02.2023	28.02.2023					
20/01788/FUL	23/00005/PP1	Land at Shurdington Road	Written	30.01.2023	10.03.2023	06.03.2023	06.03.2023					
22/01162/FUL	23/00006/PP2	101 Ryeworth Road	written	08.03.2023	15.03.2023	12.04.2023	12.04.2023					
22/01373/FUL	23/00007/PP1	129-133 The Promenade	Written	08.03.2023	15.03.2023	12.04.2023	12.04.2023					
22/02064/FUL	23/00008/PP1	St Edmunds, Sandy Lane F	written	28.03.2023	04.04.2023	02.05.2023	16.05.2023					
22/00334/COU	23/00009/PP3	8 Imperial Square	written	29.03.2023	05.04.2023	03.05.2023	17.05.2023				18.07.2023	
21/02750/FUL	23/00010/PP1	Land Adjoining Leckhampt	Hearing	30.03.2023	06.04.2023	04.05.2023	18.05.2023					
22/01430/FUL	23/00011/PP1	10 Suffolk Road	HAS	31.03.2023	07.04.2023	n/a						
22/01679/FUL	23/00012/PP1	28 West Down Gardens	HAS	03.04.2023	10.04.2023	N/a						

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