

Cheltenham Borough Council Planning Committee

Meeting date: 17 August 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 Diggory Seacome, Councillor Simon Wheeler, vacancy and Councillor Barbara Clark

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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 20th July 2023.

5 Planning Applications

5a 22/01891/FUL Playing Field Adj 10 Stone Crescent, Cheltenham, GL51 8DP (Pages 9 - 60)

[Planning application documents](#)

6 23/01123/LBC The Wilson Cheltenham Art Gallery & Museum, Clarence Street, Cheltenham GL50 3JT (Pages 61 - 70)

[Planning application documents](#)

7 Appeal Update (Pages 71 - 84)

For information.

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

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Cheltenham Borough Council Planning Committee Minutes

Meeting date: 20 July 2023

Meeting time: 6.00 pm - 6.30 pm

In attendance:

Councillors:

Paul Baker (Chair), Garth Barnes (Vice-Chair), Glenn Andrews, Adrian Bamford, Bernard Fisher, Emma Nelson, Tony Oliver, Diggory Seacome and Barbara Clark (Reserve)

Also in attendance:

Michael Ronan, Michelle Payne (Senior Planning Officer) and Mike Holmes

1 Apologies

Prior to the start of the meeting the Chair gave sincere thanks to Councillor Payne (who has had to resign from the committee) for his invaluable contribution to the Committee.

Apologies were received from Cllrs McCloskey and Wheeler and Cllr Clarke attended as a substitute.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

Site visits were declared by Councillors Barnes and Bamford who visited both sites. Councillor Andrews visited Rodney Road and Councillor Clarke visited Lincoln Avenue.

Other Members attended both sites on planning view.

4 Minutes of the last meeting

Were signed and approved as a true record.

5 Public Questions

There were none.

6 Planning Applications

7 23/00775/FUL 3, Trelawn Court, Rodney Road, Cheltenham, GL50 1JJ

The planning officer introduced the report as published.

There were no public speakers.

In response to a Member question the planning officer confirmed that SD8 does not apply and that statutory duty is to preserve and conserve.

There were no issues for Member debate.

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

For: Unanimous

Permit

8 23/00860/FUL 14 Lincoln Avenue, Cheltenham, Glos GL51

The planning officer introduced the report as published.

There were no public speakers and no Member questions.

The matter went to Member debate where the following point were made:

- Could planning officers consider the measurement in centimetres rather than millimetres as it is easier to relate to.
- There are concerns about the light test on the side elevation.
- There will be overlooking of the garden, which will mean that the neighbours will be extremely overlooked. This would be deemed as a loss of amenity and that is acceptable.
- Although there was concern about the sewage, this is not a planning matter and cannot be looked at by the committee. It cannot be a condition, but it can be an advisory to contact Severn Trent.
- Loss of light is not impacted by this development.

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

For: 5

Against: 4

Permit.

9 Appeal Update

Were noted for information.

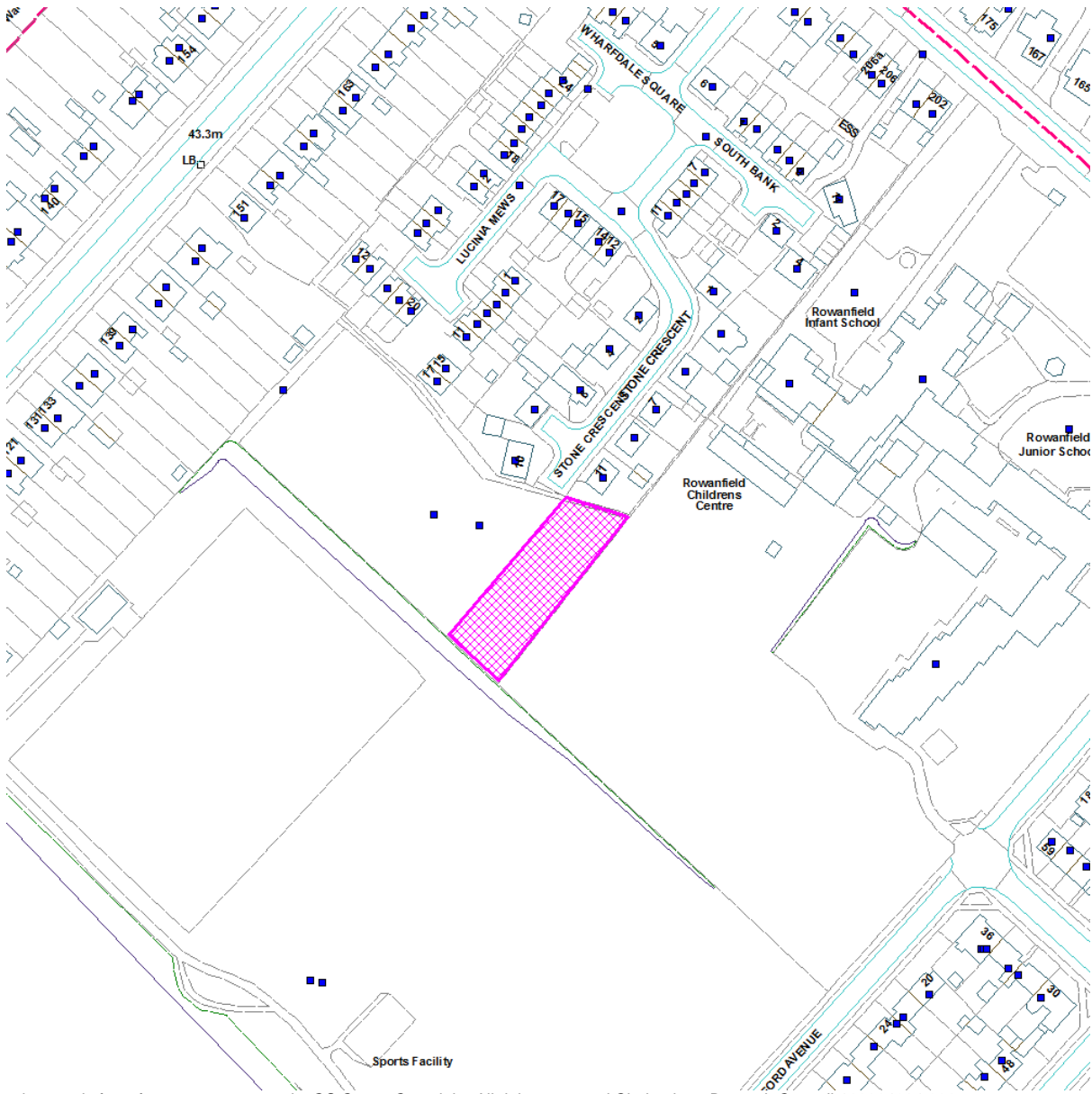
10 Any other items the Chairman determines urgent and requires a decision

There were none.

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APPLICATION NO: 22/01891/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 1st November 2022		DATE OF EXPIRY: 13th December 2022	
DATE VALIDATED: 1st November 2022		DATE OF SITE VISIT: 04.11.22 & 04.04.23	
WARD: St Marks		PARISH:	
APPLICANT:	Mr John McCreddie		
AGENT:	New Dawn Homes Ltd		
LOCATION:	Playing Field Adj 10 Stone Crescent Cheltenham		
PROPOSAL:	Construction of 6 semi-detached dwellings		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a parcel of undeveloped land located adjacent to an existing residential development known as Stone Crescent, accessed from Alstone Lane and is located within the St Mark's Ward of Cheltenham. The application site has a site area of approximately 0.13 hectares, is located wholly within Cheltenham's Principle Urban Area (PUA) and forms part of the Land at Stone Crescent allocated housing site (Cheltenham Plan Policy HD5).
- 1.2 The application site lies to the south of the existing Stone Crescent development, to the west of the Rowanfield School site and to the north of the King George V public playing fields. The land immediately to the west of the application site is owned by the applicant and benefits from an extant planning permission for 13 dwellings (ref: 18/02215/FUL).
- 1.3 With regard to the planning permission for the 13 dwellings under ref:18/02215/FUL, it has been confirmed by the Councils compliance team that as trenches have been dug, this constitutes a start of development and therefore the planning permission is extant and the development can be carried out at any point.
- 1.4 This application proposes the development of the site for further residential housing. As originally proposed the applicant sought consent for 7 dwellings, however following negotiations with officers, the scheme has now been reduced to 6 semi-detached dwellings, with associated garages and parking.
- 1.5 The application is at planning committee at the request of Councillor Willingham and Councillor Pineger, who collectively raise concerns regarding the impact of the development on existing sewers, drainage, highway safety, sustainability and the lack of pedestrian access to the playing field.
- 1.6 During the course of the application revised plans and additional information has been submitted in response to comments and concerns raised by officers, consultees, councillors and local residents. Further revised plans were received on 7th August 2023, officers did not consider a further re-consultation process with residents to be necessary as this only relates to a minor change in site layout.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Landfill Sites region
Principal Urban Area

Relevant Planning History:

00/00055/REM 19th March 2001 APREM

Construction of 60 dwellings and garages and associated highway works (in accordance with agents letter dated 18 October 2000)

98/00312/OUT 30th April 1999 PER

Redevelopment Of Existing Site For Housing (Outline)

98/00380/PO 30th July 1998 REF

Part Redevelopment Of Existing Site For Housing (Outline) (Revised Scheme)

18/01932/PREAPP 30th October 2018 CLO

Construction of 13 new dwellings and associated road and sewers

17/02460/FUL 22nd June 2018 REF

Erection of 13no. dwellings with associated road and sewers

18/01661/FUL 1st November 2018 WDN

Erection of 18no. dwellings with associated road and sewers

18/02215/FUL 21st December 2018 OBL106

Construction of 13 dwellings and ancillary works

21/00399/DISCON 29th June 2021 DISCHA

Discharge of conditions 3 (materials), 7 (Drainage), 9 (Suds), 10 (Tree Protection plan), 12 (Hard and soft landscaping) of planning permission 18/02215/FUL

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 3 Plan-making

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

H1 Land Allocated for Housing Development

HD5 Land at Stone Crescent

Adopted Joint Core Strategy Policies

SP1 The Need for New Development

SP2 Distribution of New Development

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD9 Biodiversity and Geodiversity

SD10 Residential Development

SD11 Housing Mix and Standards

SD12 Affordable Housing

INF1 Transport Network

INF2 Flood Risk Management

INF3 Green Infrastructure

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

Climate Change (2022)

4. CONSULTATIONS

All consultation responses can be read in the appendix that is at the end of this report.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Following validation of this application 12 letters were sent to neighbouring land users and two site notices were displayed in the local area. One notice was put up outside number 11 Stone Crescent and another was put on a lamp post at the entrance to the existing development on the pavement adjacent to 5 Wharfdale Square.
- 5.2 Upon receipt of the revised plans, the same process was followed, 12 letters were sent out and a further two site notices were posted in the same locations.

5.3 In response to the public consultation process, a total of 9 letters of objection have been received from neighbouring land users. The concerns of residents have been summarised but are not limited to the following points:

- Highway safety, congestion and parking
- Construction traffic and access
- Sustainability
- Drainage/flooding
- Affordable housing requirements
- Design
- Noise and disruption from construction works

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the principle of development, design and layout, the impact of the proposal on neighbouring amenity, impact on existing trees, landscaping, contaminated land, parking and highway safety, sustainability, flood and drainage, and affordable housing provision.

6.3 Planning history

6.4 As noted in the introduction, planning permission has previously been granted and remains extant for the erection of 13 houses on land directly adjacent to this application site (planning ref: 18/02215/FUL). This application is submitted by the same land owner and developer as the previously approved scheme.

6.5 Principle

6.6 Paragraph 11 of the NPPF sets out a '*presumption in favour of sustainable development*' and makes clear that development proposals that accord with an up-to-date development plan should be approved without delay.

6.7 Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal. At the time of considering this application Cheltenham cannot currently demonstrate a 5 year housing land supply, and therefore this presumption in favour of sustainable development is triggered.

6.8 As the council cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) is applicable to this application. Paragraph 11 d) states that permission should be granted unless:

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

- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

6.9 JCS policy SD10 relates to residential development and advises how housing development and conversions to dwellings will be permitted on previously developed land in the Principal Urban Area (PUA). The application site is located within a built up area of Cheltenham, adjacent to existing residential development, with access to local amenities and public transport links. The site is therefore in a highly sustainable location, is considered to be appropriate for residential development and is compliant with adopted JCS policy SD10.

6.10 As previously noted, the application site forms part of the Land at Stone Crescent allocated site for residential development (Cheltenham Plan Policy HD5). Policy HD5 sets out specific site requirements which includes:

- approximately 20 dwellings
- safe, easy and convenient pedestrian and cycle links within the site
- a layout and form that respects the existing urban characteristic of the vicinity

6.11 Officers duly acknowledge that the extant planning permission under planning ref: 18/02215/FUL forms part of this allocated site. The permitted 13 dwellings and the 6 now proposed within this application would take the total number of dwellings to 19 and therefore the proposal does not exceed the requirements of Cheltenham Plan policy HD5 in terms of the number of dwellings.

6.12 Given all of the above, there is no fundamental reason to suggest that the principle of a residential dwellings on this site would be unacceptable, subject to all other material considerations, which are discussed below.

6.13 **Design, layout and landscaping**

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

6.15 Adopted Cheltenham Plan Policy D1 requires new development to adequately reflect principles of urban and architectural design; and to complement and respect neighbouring development and the character of the locality. Furthermore, JCS policy SD4 relates to design, and identifies considerations to include context and character, legibility and identity, amenity and space.

6.16 Further detail can also be found in Cheltenham's Supplementary Planning Document – Development on Garden Land and Infill Sites. This document sets out various elements that are considered to create the character of an area and includes grain, type of building, location of buildings, plot widths and building lines.

6.17 As originally proposed, officers raised a number of concerns with the proposed development, this included the site layout and positioning of the dwellings. In particular, the 3 dwellings proposed in the southern section of the site. Officers considered the proposed number of dwellings and site layout created a cramped form of development and resulted in large areas of parking and garages positioned in front of each dwelling. The proposed site layout resulted in small private amenity areas that did not reflect the pattern of development approved in the development to the west of the site. Officers suggested that the number of dwellings should be reduced to overcome these issues. Further concerns related to the lack of any proposed landscaping and tree planting, and issues with parking layouts.

- 6.18 In response to officer's comments and concerns a revised set of plans have been submitted for consideration. The revised site layout shows a reduction in the number of dwellings from 7 to 6. The revised site layout provides for a better relationship with existing development, increased plot sizes and private amenity spaces, as well as provision of landscaping areas. Each dwelling has at least two off road parking spaces, with 4 of the dwellings also having an additional garage space.
- 6.19 Cheltenham Architects Panel (CAP) reviewed the original scheme for 7 dwellings and considered the scale and density of the scheme to be in keeping with other developments in the area. However, officers still felt a reduction in units was required.
- 6.20 The revised layout now proposes 3 pairs of semi-detached 3 bed houses. The proposed dwellings are two storeys in height and include accommodation within the roof space. The form and design of the proposed dwellings, as well as the finishing materials will reflect that of the approved scheme to the west, as such the dwellings will sit comfortably in its context and will achieve a cohesive design approach for the whole development of the allocated site.
- 6.21 Included in the revised set of plans is a detailed landscaping drawing. The plan shows provision of planting and landscaped areas to the front of each dwelling with new trees proposed in the gardens of plots 1 – 5. Whilst these landscaped areas are reasonably modest in size, they are considered to be proportionate to the plot/dwelling size and also reflect the provisions in the consented scheme for 13 houses.
- 6.22 Overall the revised site layout proposes a good use of the site, reflecting the general pattern of nearby development. The development is therefore considered to achieve an acceptable density, site layout and design and will not result in any unacceptable harm to the design or character of the area. As such, the development is considered to be compliant with Cheltenham Plan policy D1, JCS policy SD14 and Cheltenham's SPD – Development on Garden Land and infill sites.
- 6.23 Officers consider the following conditions to be necessary and have therefore been suggested:
- Materials to be installed in accordance with the submitted details
 - Landscaping works to be implemented in accordance with the approved plan prior to first occupation of the development.
- 6.24 Due to the relatively modest plot sizes, officers also consider it necessary to remove permitted development rights for new extensions to these dwellings. This is to ensure the development maintains an appropriate scale and density to reflect neighbouring development, a further condition has therefore been suggested.
- 6.25 **Sustainability**
- 6.26 JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability. Development proposals are required to demonstrate how they contribute to the aims of sustainability and shall be adaptable to climate change in respect of the design, siting, orientation and function of buildings and outside space. In doing so, proposals (including changes to existing buildings) will be expected to achieve national standards. With regards to national standards, the government has announced that by 2025, all new homes will be prohibited from installing gas and oil boilers. However, until 2025, developers will still be able to continue to install gas boilers in new residential developments.
- 6.27 Further supporting text which discusses JCS policy SD3 identifies how the design of development should first identify measures to reduce overall energy demand before the

use of renewable energy technologies. It is noted that this can be achieved through the choice of building fabric and construction techniques, optimising solar gain, natural lighting and ventilation to reduce the need for heating, cooling and lighting. It also suggests that design measures should seek to use energy more efficiently, such as increasing levels of insulation and improved air-tightness.

- 6.28 It is also important to note that Cheltenham has adopted a new Supplementary Planning Document – Cheltenham Climate Change (adopted June 2022). This guidance is therefore relevant to the considerations of this application. This SPD sets out a strategy for how buildings should respond to the climate change and biodiversity crisis and sets out how applicants can successfully integrate a best practice approach towards climate and biodiversity in their development proposals.
- 6.29 The application is supported by a sustainability statement which discusses key measures such as materials, sustainable location, waste, and surface water drainage. Specifically the statement confirms that:
- The buildings will exceed building regulation standards with regards to insulation and energy efficiency. The applicant indicates that the new dwellings are predicted to achieve a SAP rating of A or high B.
 - The orientation and massing of the buildings have been designed to allow useful solar gain and to prevent significant overshadowing in winter.
 - The buildings will be installed with appropriate mechanical ventilation.
 - Low water usage fixings will be installed in the dwellings and will achieve the RIBA 2030 Climate Change target for water consumption.
 - Sustainable location – the site is sustainably located with easy access to existing public transport links, as well as good walking and cycle networks.
- 6.30 Officers also note that current building regulations will require the installation of Electric Vehicle Charging points which will also contribute to the sustainability of the proposal.
- 6.31 In response to officer's comments/concerns on the original submission the applicant also now proposes the installation of solar panels on the rear roof slope of each dwelling. All rear roof slopes either face south-east or south-west and therefore will maximise solar gain.
- 6.32 During meetings with Councillor Horwood and Councillor Pineger the applicant was asked to look at any further sustainability measures that could be included. Specifically to explore whether gas boilers could be omitted from the scheme. The applicant has confirmed that the electric infrastructure serving the site is not suitable to accommodate an all-electric development and suggest that there would likely be viability issues associated with the cost of upgrading the electric infrastructure for a small development of only 6 dwellings. As such, efficient combination-boilers remain the heat source of these dwellings.
- 6.33 In addition, Councillor Pineger and Councillor Horwood raised concerns regarding the lack of a pedestrian access that would link this development, the existing dwellings in Stone Crescent and the permitted dwellings to the east with the King George V public playing fields to the south of the site. A pedestrian link would provide improved access for existing and future residents to this public playing field and would contribute to the sustainability of the site. It is noted that Councillor Holiday has commented on this application and opposes any potential link to the playing field. The applicant has expressed their own concerns around introducing a link, as their understanding through previous consultations with existing residents in Stone Crescent is that residents would not support a connection to the playing field. However, this appears to be in contrast to the view of Councillor Pineger and the residents he has discussed this matter with.

- 6.34 The applicant has explored the possibility of introducing a pedestrian link within the site layout for this development. However a meaningful link of 2 – 3 metres cannot be accommodated within the application site boundary without a detrimental impact on the site layout. As such, the applicant has proposed a minor change to the site layout, moving the buildings in plot 5 and 6 further east, to allow for a 1 metre section of land to run adjacent to plot 6. The applicant is then looking to explore a change to the site layout of the approved and extant scheme to the west of the site to allow for the additional 1 – 2 metres that would facilitate a link to the playing field. It is important to note that this would be the subject of a future application and modification to the extant planning permission and cannot be controlled as part of this current application.
- 6.35 Whilst officers accept that the sustainability of the proposed development could be improved with the removal of gas boilers and the potential introduction of a pedestrian link, officers are of the view, the sustainability measures proposed for the modest development are appropriate and acceptable and would comply with current national standards, policy and guidance.
- 6.36 Officers consider it necessary to attach a condition which requires the solar panels to be installed on each dwelling prior to occupation, a condition has therefore been suggested.
- 6.37 Impact on neighbouring amenity**
- 6.38 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.
- 6.39 The development layout results in the new dwellings (plots 1 – 4) running broadly in line with the existing residential properties to the north in Stone Crescent, with plots 5 – 6 running broadly in line with the approved dwellings to the west (yet to be built). With this being the case, the proposed development is not considered to result in any unacceptable loss of light, loss of outlook or overbearing impact on any existing resident, or on any future occupier of the new dwellings to the west of the site.
- 6.40 Due the position of the dwellings and the relationship with neighbouring land users there will be no unacceptable loss of privacy from any front or rear elevation windows within the proposed dwellings. Each proposed dwelling has a first floor side elevation window that has the potential to overlook the neighbouring land users. Whilst this window serves a bathroom and it is therefore likely that this window will be obscurely glazed, officers consider it necessary that a condition is attached which requires these windows to be obscurely glazed and high level opening, a condition has therefore been suggested.
- 6.41 In terms of impact on neighbouring amenity, the proposal is considered to be compliant with adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14.
- 6.42 Contaminated land**
- 6.43 The application site is noted as being in close proximity to an historic landfill site, as such, further details and investigation works were considered necessary. In response, a ground condition report has been submitted and reviewed by the contaminated land officer. Further information was requested and provided. The contaminated land officer considers the submitted report and additional information to be acceptable but also considers further measures necessary. As such, two conditions have been suggested, one requires the works to be carried out in accordance with the submitted details and one requires the submission of soil testing results before use on the site.

6.44 Having regard to the submitted information and with the conditions attached, the proposal is considered to be acceptable in terms of contaminated land risk.

6.45 Highway considerations

6.46 The proposed development of 6 new dwellings would be accessed through the existing Stone Crescent development, in the same way the approved 13 dwellings will be accessed. This existing development is reasonably compact and officers duly acknowledge the concerns raised by residents with regards to access, in particular during the construction phase of development. Residents are particularly concerned because of the 'shared space' design of the existing development around Wharfdale Square. Comments and concerns are also raised with regards to parking congestion around the existing estate and the impacts of school pick up and drop off times in the estate.

6.47 It is important to note that that access road that will serve these 6 new dwellings is already approved as part of the extant planning permission (18/02215/FUL) for the 13 dwellings to the west of this application site.

6.48 Gloucestershire County Council as the local Highways Authority were consulted on this application, their detailed comments can be read in the appendix attached at the end of this report. Gloucestershire Highways raise no objection to the application and conclude that there would be no unacceptable impact on highway safety or a severe impact on congestion, as such there would be no justifiable highway reason to object.

6.49 Gloucestershire Highways did however note that the proposed site layout showed tandem parking for 3 vehicles, and that this should normally be limited to 2 cars. Whilst this was not considered a sufficient reason to refuse the application this was brought to the applicant's attention. The applicant has addressed this issue in the revised site layout and all tandem parking is now limited to 2 vehicles.

6.50 Plots 1, 2 and 3 all have dedicated off street parking for 2 cars, whilst plots 4, 5 and 6 have off street parking for 2 cars and a further parking space within a garage. Bicycle storage can be accommodated within the private rear gardens, accessible via side gates, and/or within the garages and is acceptable for this scheme.

6.51 Due to the close proximity of neighbouring residential properties, and having acknowledged the concerns of local residents with regards to the access to the site for construction works, it is considered that suitable measures are necessary in order to minimise the disruption to the public highway and to adjacent land users. As such a condition has been suggested which requires the submission of a Construction Management Plan (CMP). A similar condition was also suggested by the Council's Environmental Health Officer.

6.52 Having considered all of the above, the development is not considered to result in any unacceptable highway safety implications, is considered to achieve a suitable access and parking provision. The development therefore accords with JCS policy INF1.

6.53 To ensure that parking provision is maintained within this development, a condition has been suggested which requires the parking arrangements to remain as approved.

6.54 Flooding and drainage

6.55 The application site is wholly located in flood zone 1 and is at very low risk of flooding from rivers. However, the site is noted as being at medium risk of surface water flooding. Both the Local Lead Flood Authority (LLFA) and the council's Drainage Officer (DO) have been consulted on this application. The LLFA have not provided comments on this scheme due to the proposal only being for 6 dwellings. Detailed comments from

the council's DO have been received and can be read in full in the appendix attached to the end of this report.

- 6.56 In response to the original submission the DO advised that a Flood Risk Assessment (FRA) was necessary. In response, the applicant has provided further information in the form of a FRA and supporting drainage plans. During the course of the application further information and confirmation of details has been provided. Having reviewed all of the latest information, the DO considers the proposed scheme to be acceptable subject to conditions.
- 6.57 The conditions require the works to be carried out in accordance with drainage strategy, with specific reference to the finished floor levels and ground level contours, the installation and retention of suitable fencing along the eastern boundary to allow for appropriate water flow and for the Sustainable Drainage System to be installed in accordance with the submitted details. Furthermore, officers consider it necessary to remove permitted development rights for new boundaries to ensure that the correct water flow can be maintained, as such a further condition has been suggested.
- 6.58 With the conditions attached the proposal is considered to be acceptable in terms of surface water management and drainage, as such, the development is considered to be acceptable and accords with JCS policy INF2.
- 6.59 **Affordable Housing**
- 6.60 JCS policy SD12 requires the provision of a minimum of 40% affordable housing for sites of 11 dwellings or more. Whilst this development of 6 new dwellings in isolation would fall below this threshold and would not normally trigger the need for affordable housing provision, policy SD12 also states *'Where a development site has been divided into parts, or is being delivered in phases, the site will be considered as a whole for the purpose of determining the appropriate affordable housing requirement'*.
- 6.61 The applicant, land owner and developer for this application is the same as that of the extant planning permission for the 13 new dwellings to the west of the site (18/02215/FUL). As such, officers considered that affordable housing provision was required. The Council's Housing Enabling Officer (HEO) reviewed the application and provided detailed comments that can be read in the appendix attached to the end of this report. In summary, the HEO considered that the provision of 3 affordable housing units would be necessary.
- 6.62 In this instance the applicant advised that the scheme would not be viable if affordable housing provision was required. As such, in accordance with JCS policy SD12 a viability assessment was required. A full viability assessment was later submitted and the Council appointed the District Valuer Services (DVS) to review the submission and to provide their conclusions.
- 6.63 The DVS have concluded that the proposed development would not be viable when taking in to account the requested affordable housing provision. As such, in this instance it is not possible to secure any affordable housing provision on this site.
- 6.64 **Impact on trees**
- 6.65 Whilst no significant trees are located on the application site itself, a number of established trees are positioned just outside of the application site boundary to the east and south. The Council's tree officer has been consulted and has provided detailed comments which can be read in the appendix attached to the end of this report.
- 6.66 In response to the original submission, the tree officer noted the application lacked any detail with regards to existing trees and requested further information. In response the

applicant has provided various tree related information, including a tree protection plan and tree protection details. A proposed landscaping plan has also been provided, this includes the provision of new tree planting across the site. Having reviewed this information the tree officer raises no objection to the application, subject to clarification with regarding shading of existing trees on the proposed dwellings (plots 5 & 6). A shade analysis drawing has been provided and is considered acceptable.

6.67 The development is considered to accord with Cheltenham Plan policies GI2 and GI3, which requires the protection and replacement of trees. A condition has been attached which requires the tree protection measures to be installed in accordance with the approved details.

6.68 **Environmental Impact**

6.69 JCS policy SD9 seeks to ensure that all development, wherever possible, makes a positive contribution to biodiversity and geodiversity, and that important habitats and species are protected. Where developers are unable to avoid harm to biodiversity, mitigation measures should be incorporated into the design of the development. The policy reflects the advice set out within the NPPF at paragraph 180.

6.70 In terms of protected species, The Gloucestershire Centre for Environmental Records (GCER) has not recorded sightings of any protected species within the site or in close proximity of the site. They do however, have records for sightings of other species in surroundings areas, mainly birds. However, there is nothing to indicate that any specific habitats are located within the site itself. This is consistent with the findings of the application approved under ref: 18/02215/FUL. As such, it is not considered that the proposed development will result in any unacceptable impact on any protected species.

6.71 NPPF (para 174) states planning decisions should contribute to and enhance the natural and local environment by...minimising impacts on and providing net gains for biodiversity. As such, providing any biodiversity gain, however small, is compliant with national policy.

6.72 It should be noted that the existing site is mainly grass land, with very few trees, little vegetation or planting within the site boundary. The site is reasonably small and therefore opportunities for any meaningful gain in Bio-diversity and Geo-diversity is extremely limited. However, as discussed earlier in the report, a landscaping plan has been submitted. The scheme provides for new planting to the front of each of the properties and new tree planting. Overall, the proposed landscaping is considered to be an acceptable level of enhancement, given the scale of the proposal, and is considered to comply with JCS policy SD9 and the NPPF.

6.73 **Other considerations**

Sewerage connections

Councillor Willingham has raised concerns with regards to the increased pressures of further development on the existing sewerage and drainage infrastructure. Whilst these concerns are duly noted, this is a matter to be dealt with outside of the planning process and will covered through the building regulations process.

Public Sector Equalities Duty (PSED)

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

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

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

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

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 As already noted, the council cannot currently demonstrate a 5 year housing land supply and therefore there is a presumption in favour of sustainable development, as required by paragraph 11 of the NPPF. However, this presumption in favour of sustainable development, is caveated at part d)i) and ii) where it sets out that permission should be granted unless:
- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing development proposed; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework.
- 7.2 The application site forms part of an allocated housing site (Cheltenham Plan Policy HD5), as such, the principle of developing this portion of the site for 6 dwellings has to be considered as acceptable.
- 7.3 The applicant has submitted various revised plans and additional information in response to the various concerns raised. This includes an improved site layout and design, improved landscaping and planting provision, improved sustainability credentials, appropriate details to address contaminated land risk, flooding and drainage.
- 7.4 Whilst it is regrettable that affordable housing provision cannot be achieved on this scheme, officers are satisfied that the appropriate viability testing has been undertaken and therefore provision is not necessary in order to grant planning permission.
- 7.5 In term of the test required by NPPF Paragraph 11 d), in this instance, no protected areas or assets of particular importance have been identified for this development, as such no clear reason for refusing the development has been identified. Furthermore, officers do not consider that the development would result in any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme, which includes the addition of six much needed residential units to Cheltenham’s housing stock, as well as the associated economic benefits associated with the construction stages of development.
- 7.6 Having considered all of the above, officers consider the scheme to be acceptable and compliant with local and national planning policy. As such, officer recommendation is to grant planning permission, subject to the conditions set out below; (agreement has been sought in relation to the pre-commencement conditions).

8. CONDITIONS / INFORMATIVES

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

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

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

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

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

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

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

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). And to safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017)

Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact and neighbour amenity impact during construction.

- 4 Finished floor levels and proposed ground level contours should be implemented as per proposed drainage strategy drawing 9241/501 Rev D. The ground levels shall thereafter be maintained (not blocked or altered) throughout the lifetime of the development.

Reason: In order to minimise flood risk to people and property and to ensure any potential flood flow follows the overland flow route indicated on drawing 9241/501 Rev D. Having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 5 Prior to first occupation of the development, the fencing along the eastern boundary of the site shall be installed in accordance with the drainage strategy drawing 9241/501 Rev D and shall be maintained as such thereafter. The fencing shall include spacing to allow for any potential flood flows up to 300mm in depth to pass through the boundary, as per the overland flow routes indicated in drawing 9241/501 Rev D.

Reason: In order to minimise flood risk to people and property and to ensure any potential flood flow follows the overland flow route indicated on drawing 9241/501 Rev D. Having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 6 The Sustainable Drainage System (SUDS) shall be implemented in accordance with the details contained in the proposed drainage strategy drawing 9241/501 Rev D and the Flood Risk Assessment and Drainage Strategy report, June 2023, Issue 2.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017)

- 7 All external facing and roofing materials shall be installed in accordance with the material details as set out in documents 1891.04 and 1891.05 received on 7th June 2023, unless otherwise first agreed in writing by the Local Planning Authority.

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

- 8 No dwelling shall be occupied until solar panels have been installed on the dwelling, in accordance with the details on drawing number 1891.02. The solar panels shall be retained as such thereafter.

Reason: In the interests of sustainable development, having regard to policy SD3 of the Joint Core Strategy (2017), Cheltenham's Climate Change Supplementary Planning Document and section 14 of the National Planning Policy Framework (2021).

- 9 The development shall be carried out in accordance with the contaminated land report (MG/3938 (job number: 3938) received on 27th March 2023 and further details provided in correspondence received on 24th April 2023.

Notwithstanding the above, the applicant shall also install a barrier/membrane between the new top soil and any ground which is the original ground on site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the relevant policies in the Cheltenham Plan (2020) and adopted Joint Core Strategy (2017).

- 10 The applicant/developer will ensure that there will be a minimum of 390mm of clean site won topsoil across all of the proposed soft landscaping and garden areas. Prior to the use of any topsoil in these areas, the applicant/developer shall carry out appropriate associated soil tests to certify its suitability, the results of which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the relevant policies in the Cheltenham Plan (2020) and adopted Joint Core Strategy (2017).

- 11 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 upper floor side elevation window of each dwelling shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 12 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions to the buildings hereby permitted shall be constructed without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 13 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 fences, gates, walls or other built means of enclosure (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: In order to minimise flood risk to people and property and to ensure acceptable flood flows are maintained. Having regard to adopted policy INF2 of the Joint Core Strategy (2017).

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

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

- 15 Prior to the commencement of development (including demolition and site clearance), tree protective fencing to BS 5837:2012 as detailed in drawing number 01891.01 shall be installed in the location approved in the landscape plan, drawing number 131-101_D. The approved protective fencing shall thereafter remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 16 All landscaping works shall be carried out in accordance with the approved drawing number 131-101_D prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

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

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise 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 revised plans to address comments and concerns regarding site layout, density, landscaping, sustainability, parking and drainage;

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

- 2 The applicant is reminded of the Council's permitted hours for construction works. These are as follows:

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 07:30-18:00hrs, Saturday 08.00hrs - 13:00hrs nor at any time on Sundays, Bank or Public Holidays

- 3 It is strongly recommended that suitable leaf guards to cover guttering and down pipes are installed onto external rain drainage pipework so as to reduce the incidence of such blocked pipework as a result of tree related litter-fallen leaves, twigs, fruit etc

Consultations Appendix

Publica Drainage And Flooding - 31st July 2023

Previous comments regarding flooding and drainage have now been addressed. If planning permission is granted please request the following conditions:

- o Finished floor levels and proposed ground level contours should be implemented as per proposed drainage strategy drawing 9241/501 Rev C in order to minimise flood risk to people and property. These ground levels need to be maintained (not blocked or altered) throughout the lifetime of the development to ensure any potential flood flow follows the overland flow route indicated on drawing 9241/501 Rev C.

- o The fencing shown in proposed drainage strategy drawing 9241/501 Rev C along the eastern boundary of the development and to the rear of the parking area between plots 2 and 3 should remain permeable throughout the lifetime of the development with spacing to allow for any potential flood flows up to 300mm in depth to pass through the boundary, as per the overland flow routes indicated in drawing 9241/501 Rev C.

- o The Sustainable Drainage System (SUDS) should be implemented as per the details outlined in the proposed drainage strategy drawing 9241/501 Rev C and the Flood Risk Assessment and Drainage Strategy report, June 2023, Issue 2.

Publica Drainage And Flooding - 21st July 2023

An insufficient level of detail has currently been provided with regards to the routing of the overland flood flowpaths through the site. There is no landscaping or other measures shown on the drawing to satisfy that the flowpath entering the site in the north-east corner will follow the intended route. The contours and levels shown on the drawing suggest there is nothing to prevent this flood flow from flowing towards proposed plots 1 and 2. The hydraulic performance of the intended flowpath through the site have not been shown against an estimate of the flow/depth and this analysis should be provided. The required footprint and purpose (permeable or impermeable?) of the hit and miss fencing is not clear on the drawing and this needs to be detailed alongside the hydraulic analysis as any requirements regarding permeability will need to be considered carefully to ensure the flowpath is maintained overtime.

There is also no landscaping (or other measures) and hydraulic analysis shown on the flowpath on the southern boundary. The contours and levels shown on the drawing suggest there is nothing to prevent this flowpath from flowing towards plots 5 and 6.

Currently no update to previous comment provided regarding feedback from Severn Trent water (below):

"The FRA states that Severn Trent Water have been contacted but it is assumed the applicant is still awaiting a response. It is requested that Severn Trent Water comments are addressed before planning permission is granted as strategically important Severn Trent Water assets are within the site and comments on the application from public and ward councillors raise capacity/flood risk concerns relating to these assets. No build zones around these assets could impact the proposed layout of the development, especially as private gardens and driveways are currently being proposed above these assets rather than public space".

Publica Drainage And Flooding - 12th July 2023

An insufficient level of detail has currently been provided with regards to the routing of the overland flood flowpaths through the site. There is no landscaping or other measures shown on the drawing to satisfy that the flowpath entering the site in the north-east corner will follow the intended route. The contours and levels shown on the drawing suggest there is nothing to prevent this flood flow from flowing towards proposed plots 1 and 2. The hydraulic performance of the intended flowpath through the site have not been shown against an estimate of the flow/depth and this analysis should be provided. The required footprint and

purpose (permeable or impermeable?) of the hit and miss fencing is not clear on the drawing and this needs to be detailed alongside the hydraulic analysis as any requirements regarding permeability will need to be considered carefully to ensure the flowpath is maintained overtime.

There is also no landscaping (or other measures) and hydraulic analysis shown on the flowpath on the southern boundary. The contours and levels shown on the drawing suggest there is nothing to prevent this flowpath from flowing towards plots 5 and 6.

Currently no update to previous comment provided regarding feedback from Severn Trent water (below):

"The FRA states that Severn Trent Water have been contacted but it is assumed the applicant is still awaiting a response. It is requested that Severn Trent Water comments are addressed before planning permission is granted as strategically important Severn Trent Water assets are within the site and comments on the application from public and ward councillors raise capacity/flood risk concerns relating to these assets. No build zones around these assets could impact the proposed layout of the development, especially as private gardens and driveways are currently being proposed above these assets rather than public space".

Publica Drainage And Flooding - 26th June 2023

The updated FRA (June 2023) addresses some of the previous comments raised (04/04/2023) but others remain open, as detailed below:

Peak flow control, proposed attenuation and floor levels are considered appropriate. A drainage condition is requested if planning permission is granted to ensure any changes to the surface water network at later design stages are approved by the local planning authority before development commences.

The routing of overland flowpaths through the site is not considered to have been addressed. This should be resolved before planning permission is granted as it could impact the overall layout of the site. The surface water flood risk maps and the site topographic survey show the flowpath enters the site where dwelling no.s 1 and 2 are located, not above the existing sewer line as shown on the plans. Proposed levels need to show how this flowpath will be routed to minimise risk to property. There is also no landscaping or levels shown at the flowpath entering the site from the southern playing fields to divert it in the intended direction rather than towards proposed property.

The FRA states that Severn Trent Water have been contacted but it is assumed the applicant is still awaiting a response. It is requested that Severn Trent Water comments are addressed before planning permission is granted as strategically important Severn Trent Water assets are within the site and comments on the application from public and ward councillors raise capacity/flood risk concerns relating to these assets. No build zones around these assets could impact the proposed layout of the development, especially as private gardens and driveways are currently being proposed above these assets rather than public space.

Publica Drainage And Flooding - 4th April 2023

The flood risk assessment (FRA) report submitted (Issue 3, dated November 2018) was written for the neighbouring site (18/02215/FUL) and although certain aspects of the assessment are valid to 22/01891/FUL (such as the infiltration test results and some of the flood risks identified to the existing undeveloped site), a significant proportion of the report is only considered relevant to the neighbouring site. The FRA does not specify how overland flood flowpaths and surface water drainage will be managed for the site of the proposed 6 dwellings of this application. It is therefore requested that an updated FRA is provided, in order to address the following:

- Post-development overland flow routes and proposed finished floor levels are not shown on the drainage layout drawing within in the area of the proposed 6 dwellings.
- Greenfield runoff rates, flow control and storage calculations are for the neighbouring site only and do not include the area of the proposed 6 dwellings.
- The correspondence with Severn Trent Water shown in Appendix 6 is now 5 years old and relates to the neighbouring site. The applicant should confirm with Severn Trent regarding any proposed connections, no-build-zones, diversions and capacity of existing sewers specific to the application site as these may of changed since 2018.

Publica Drainage And Flooding - 8th November 2022

The proposed site is within an area of identified surface water flood risk. Surface water flowpaths enter the site from the east and south, following the approximate route of historic watercourses that have since been culverted. Local residents have previously raised concerns regarding the existing capacity of the culvert and surface water drainage network in the area.

A flood risk assessment should therefore be provided detailing how flood risk will be mitigated to people and property on the site and to neighbouring property. This should include a detailed written sustainable surface water drainage strategy that includes consideration of flood risk, water quality and maintenance of any proposed devices. Rainwater collection/re-use and the use of permeable surfaces are recommended, as per the Cheltenham Climate Change SPD.

The onsite surface water drainage system must be designed to accommodate up to and including either:

- 1% (1 in 100) annual exceedance probability (AEP) rainfall event (including a 40% allowance for climate change), or
- 3.3% (1 in 30) annual exceedance probability (AEP) rainfall event (including a 40% allowance for climate change). But any volume above this must be kept on site for all events up to the 1% AEP (including a 40% allowance for climate change) and must not cause risk to any existing property or land beyond the site

An exceedance/residual surface water route plan should be included, identifying the surface water flow routes across and exit points from the site should the capacity of the drainage system be exceeded (i.e. if rainfall events larger than the design or a blockage occurs). These routes should minimise risk to people and property.

As per the Sustainable Drainage System (SuDS) hierarchy, infiltration should be initially considered. Regional soil maps (landis.org.uk/soilscapes) and previous testing on the adjacent property suggest that there may be impeded drainage at the site, but BRE 365 infiltration testing should be undertaken to test for feasibility and to establish a site specific infiltration rate for drainage system design. If infiltration is proven not to be viable due to poor infiltration rates, onsite attenuation (flood storage) will be required prior to controlled discharge. Confirmation will be required from Severn Trent Water that they will accept the discharge to their sewer, that it has capacity and what flow rate can be accepted (e.g. greenfield runoff rate).

Confirmation will also be required from Severn Trent Water with regards to the proposed diversions to sewers and any no-build zones around these for maintenance access requirements.

If planning permission is granted, please request the following condition:

Prior to the commencement of development, a flood risk assessment and surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SuDS) principles and appropriate flood risk management, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for

implementation of the works; and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure flood risk management and sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

Social/Affordable Housing - 30th November 2022

Full comments available to view in public access

Ward Councillors - 29th June 2023 –

I wish to strongly object to this application and support the comments already made, especially those by the residents.

The various issues on sustainability has already has been voiced.

There is only one entrance/egress into the existing development and additional vehicles will cause further issues, particularly in terms of safety. Stone Crescent is not a large road and residents will suffer.

The very real and worrying concerns over highway safety especially when children are being dropped off and picked up from Rowanfield Schools is a huge issue.

My previous comments still remain current.

Ward Councillors - 23rd May 2023

I would like to record a formal objection to this application.

The grounds for this objection relates to the sustainability of the sewage and drainage from this proposed development. As the County Councillor, I have been supporting constituents on Brooklyn Road who experience pluvial flooding. Some of this pluvial flooding includes sewage that overflows out from a combined sewer. This proposal would connect to the sewage system upstream of the properties affected by sewage flooding. This additional strain on the sewage network will exacerbate the issues they are experiencing.

In terms of mitigation, if the developer were to enter into a s106 agreement that would result in the upgrade the diameter of the sewers downstream of this development to prevent sewer flooding, then that would mitigate the above issue.

I also wish to object on highway safety grounds. The sole access via the junction of Wharfdale Square and Alstone Lane already has traffic safety issues at peak times. These are related to school pick-up and drop-off at the nearby Rowanfield Infants and Junior Schools. I am concerned that without further mitigation, funded by the developer via a s106 agreement, there will be road safety issues at this junction that will endanger some of the most vulnerable road users.

The proposed properties lack PV solar on the roof, so the proposal does not appear to be compliant with the Supplementary Planning Document around sustainability.

Finally, the applicant claims that related application 18/02215/FUL has been commenced. Photographs, taken today and supplied under different cover to Planning and Planning Enforcement, would suggest that this site is still a field and that no works have been done to suggest that this planning application is even valid, as more than three years have passed from the decision notice suggesting that permission has lapsed. This point urgently needs to be clarified.

As a County Councillor, I do not believe that I have the ability to formally request that this proposal be heard via the Planning Committee, but if I do, then the above represent my reasons. If not, I trust that either the ward councillors, or the Chairman of the Planning Committee will act upon this request and for the same material planning reasons.

Ward Councillors - 15th November 2022

The idea of a connection is supported by the climate emergency/low carbon neighbourhood planning as described in the SPD. It also supports active travel and improved health outcomes. Times change.

In my view, you should not advocating blocking residents from accessing their own park because of fear or crime. That is a separate, unproven issue that can be dealt with as it arises.

Ward Councillors - 11th November 2022

I really cannot support a link through to KGV and I would be very surprised if this was supported by the existing residents and the Police as in my opinion it would create a rat run.

The original objections from the 2018 application regarding sewers and increased traffic remain as a current concern though.

Ward Councillors - 8th November 2022

I would like to record a formal objection to this application.

The grounds for this objection relates to the sustainability of the sewage and drainage from this proposed development. As the County Councillor, I have been supporting constituents on Brooklyn Road who experience pluvial flooding. Some of this pluvial flooding includes sewage that overflows out from a combined sewer. This proposal would connect to the sewage system upstream of the properties affected by sewage flooding. This additional strain on the sewage network will exacerbate the issues they are experiencing.

In terms of mitigation, if the developer were to enter into a s106 agreement that would result in the upgrade the diameter of the sewers downstream of this development to prevent sewer flooding, then that would mitigate the above issue.

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The proposed properties lack PV solar on the roof, so the proposal does not appear to be compliant with the Supplementary Planning Document around sustainability.

Finally, the applicant claims that related application 18/02215/FUL has been commenced. Photographs, taken today and supplied under different cover to Planning and Planning Enforcement, would suggest that this site is still a field and that no works have been done to suggest that this planning application is even valid, as more than three years have passed from the decision notice suggesting that permission has lapsed. This point urgently needs to be clarified.

As a County Councillor, I do not believe that I have the ability to formally request that this proposal be heard via the Planning Committee, but if I do, then the above represent my

reasons. If not, I trust that either the ward councillors, or the Chairman of the Planning Committee will act upon this request and for the same material planning reasons

Ward Councillors - 10th November 2022

The application references sustainability many times including in document titles. However, no reference has been made to the Climate Change Supplementary Planning Document (SPD) ratified by full council (unanimously) in June 2022. New dwellings with gas boilers cannot claim to be sustainable.

This planning application MUST provide an access route into the King George V Playing Field. It does not at the moment and this cuts off the whole community from their community facilities, that is, the park. This is unacceptable and I'm sure that there are planning rules that will allow rejection.

Unless the applicant would want to reconsider and withdraw at this stage to make these amendments, please 'call in' this planning application to committee. The world has moved on since the original 2018 application and the current application must reflect those changes, not least the climate and ecological emergency.

Ward Councillors - 10th November 2022

For these and my own reasons I object to this development unless they make amendments:

- 1) Public access (footpath and cycleway) to the public amenity that is the King George V Playing Field... many people in this area currently drive their dogs the 1 mile to the carpark which is obviously unsustainable. If a connection can be made then the Friends of the park group are currently raising money for paths within the park which could join this access to the existing shared-use cycle path.
- 2) Acknowledgement of the SPD and implementation of some or all of the recommendations including the aforementioned connectivity with the park.
- 3) In support of David's point, I have witnessed the dried up toilet paper around the sewer cover follow sewage flooding in our residents' garden and we cannot afford for this unsanitary situation to be exacerbated. Especially when the residents are a young family with children playing around the drain cover.

If the developer wishes to persist then please bring the matter to the planning committee for consideration.

I likewise agree that some 11 month old, now collapsed trenches are not sufficient to delay annulment of the previous planning consent. These trenches have clearly not been maintained, nor utilized.

Building Control - 1st November 2022

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

GCC Highways Planning Liaison Officer - 21st 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.

Tandem parking spaces for an individual residential dwelling is permitted, but Manual for Gloucestershire Streets advises this be limited to 2 vehicles, and plots 2 and 3 have 3 spaces tandem. Whilst this is undesirable, it is not sufficient to warrant a recommendation of refusal. On this basis, the Highway Authority would not wish to object to the proposal subject to a condition for bicycle parking be provided for the units with no garage space.

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

Bicycle Parking

The Development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities

Contaminated Land Officer - 27th April 2023

In relation to 22/01891/FUL, Playing Field Adj 10, Stone Crescent, Cheltenham, please find the below conditions from Contaminated Land.

Contaminated Land Conditions:

As per the submitted Contaminated Land report, reference: MG/3938 (job number: 3938), the applicant/developer will ensure that there will be a minimum of 390mm of clean site won topsoil across all of the proposed soft landscaping and garden areas. This topsoil will not be sourced from the site itself, but brought in from an external source top soil and this new top soil will have the appropriate associated soil tests to certify its suitability. These test results are to be provided to this LA prior to the new soil arriving on site.

The applicant will ensure that there is a barrier/membrane between the new top soil and any ground which is the original ground on site. This is to protect the new top soil from any potential contamination on the remainder of the land.

Contaminated Land Officer - 22nd November 2022

In relation to 22/01891/FUL, Playing Field Adj 10 Stone Crescent, Cheltenham, please find the below conditions from Contaminated Land and Environmental Health.

Contaminated Land Condition:

Historic maps show an area in very close proximity to the site as being historic landfill.

As a result, a full and intrusive site survey would need to be undertaken prior to the build commencing. This is due to our records showing landfill in very close proximity to the site. As the application is for residential units with gardens, the survey is to check on the extent of any possible contamination as a result of the landfill and the extent of any remedial work which may need to be undertaken to ensure the safety of future receptors. The contaminated land survey will need to be made available to this department for review and we may at that stage put forward further conditions to ensure recommendations from the survey are adhered to which would mitigate the transfer of any known contamination on human receptors.

Clean Green Team - 23rd December 2022

- 1 Pathways Pathways need to be of hardstanding.
- 2 Bin Locations If private dwellings residents would need to be informed that due to ownership they are required to present on the kerbside for 7am on the morning of collection. No receptacles are to be stored on the highway.
- 3 Road Layout Ideally off road parking is advisable with space for refuse and recycling trucks that is to be kept free on collection days. Ideally on the highway a turning circle is recommended.
- 4 Presentation Points (if single dwellings)The self-contained dwelling would need a position near the kerbside to present bins, boxes, caddy's and blue bags that would avoid blocking access to the pathway or driveways.
- 5 Storage of the bins for single dwellings The properties need adequate space to store bins and boxes off the public highway when not out for presentation.
- 8 New Residents Information We would advise that all residents are given the link below so they can see how and what can be recycled in Cheltenham https://www.cheltenham.gov.uk/info/5/bins_and_recycling/924/kerbside_recycling_box_collection

Environmental Health - 6th December 2022

Environmental Health Conditions:

1. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 07:30-18:00hrs, Saturday 08.00hrs - 13:00hrs nor at any time on Sundays, Bank or Public Holidays
2. No development shall take place until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for: hours of operation, parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction), routes for construction traffic, locations for loading / unloading and storage of plant, waste and construction materials, method of prevention of mud being carried onto highway, communicating the construction management plan to staff, visitors and neighbouring residents and businesses, waste and material storage, control measures for dust and other airborne pollutants, measures for controlling the use of site lighting whether required for safe working or for security purposes.

GCC Local Flood Authority (LLFA) - 7th November 2022

TOWN AND COUNTRY PLANNING ACT 1990

LEAD LOCAL FLOOD AUTHORITY RECOMMENDATION

LOCATION: Playing Field Adj 10 Stone Crescent Cheltenham Gloucestershire

GL51 8DP

PROPOSED: Construction of 7 semi-detached and terraced residential dwellings

I refer to the above consultation, and your request for comment from the Lead Local Flood Authority (LLFA).

Please note that the LLFA is a statutory consultee for the management of surface water and associated flood risk on major development only. This application does not meet our interpretation of the criteria used to define major development and the LLFA will therefore decline to comment.

Tree Officer - 16th June 2023

The shade analysis as shown on the Proposed Landscaping Boundaries and Materials Plan (drawing no 1310101_B of October 2022 does not appear to have been calculated within the proprietary software available as per the recommendation within BS 5837 20912 (Trees in Relation to Design, Demolition and Construction) 5.2.2 Note 2.

It is unclear on what basis it was undertaken nor if the change in elevation between the tree and the site has been taken account of. The depth of shade to be cast onto the site appears to have been underestimated on the drawing.

Nevertheless, it is accepted that the nature of the shade cast by these trees is dappled and as such even if the shade cast is extensive, it should not be dense.

Given the orientation of the trees to the site, should permission be permitted, please add the "gutter cover informative" as the small nature of the bi-pinnate leaves are likely to fall onto the roofs and gutters of the proposed adjacent dwellings:

Suggested Gutter Cover Informative

INFTR no XXX-It is strongly recommended that suitable leaf guards to cover guttering and down pipes are installed onto external rain drainage pipework so as to reduce the incidence of such blocked pipework as a result of tree related litter-fallen leaves, twigs, fruit etc

Tree Officer - 3rd May 2023

The CBC Tree Section does not object to this proposal on the assumption that it can be demonstrated that the 2 honey locust trees (*Gleditsia tricanthos*) elevated and to the south of the site on CBC managed land, can be demonstrated to not cause undue shade on the houses and gardens.

Whilst it is understood that this species of tree only cast dappled shade for a relatively short period when in leaf, as previously requested, please could this be formally quantified with a formal analysis as well as what, if any pruning intention proposals to the trees that there are.

The submitted soft landscape plan is acceptable from a tree perspective. However it is recommended that the 12-14 Heavy standard size apple and birch trees are reduced in size when planting-otherwise they may struggle to establish in the proposed rear gardens.

Please could foundation design take account of the existing heavy clay soil so as to ensure that the properties do not suffer differential movement due to soil volume changes and the likely subsequent requirement for tree removal.

Tree Officer - 2nd November 2022

22/01891/FUL Playing Field adjacent to 10 Stone Crescent

There is little/no tree related information pertaining to this application.

Please could the following be submitted as a part of this application process:

- 1) BS 5837 (2012) of all trees within the site as well as within the sphere of influence of the site.
- 2) Tree protection plan as appropriate following the BS5837 survey
- 3) Shade assessment so an analysis can be undertaken of the large locust trees on CBC land to the south of this site. These 2 trees will cast shade on the proposed new homes to their north. It is important to assess the extent of such shading.
- 4) Landscaping plan to mitigate for proposed existing tree losses. Tree planting is anticipated within each proposed property garden.

Gloucestershire Centre For Environmental Records - 4th November 2022

Response available to view in public access/

Parks & Landscapes Division - 3rd April 2023

With reference to the above planning application 22/01891/FUL we confirm that we do not have any comments with regard to the application.

Parks & Landscapes Division - 30th November 2022

Application Reference: 22/01891/FUL

Address: Playing Field Adj 10 Stone Crescent Cheltenham Gloucestershire

Proposal: Construction of 7 semi-detached and terraced residential dwellings

Case Officer: Mr Ben Warren

Ensure that the boundary treatment adjacent to King George V playing field is a robust, secure boundary that prevents footballs from entering neighbouring gardens. Timber posts will not be suitable for this clay site. Gate access points are not permitted onto the public open space from any of the adjacent properties on this development

Overall, there is no ecological or biodiversity net gain on this development. The percentage of existing amenity grassland ecological and biodiversity benefits lost as part of the housing and hard surfacing is not improved by planting 8 small shrubberies and reduced lawn areas. An ecological and net gain statement should be submitted.

Architects Panel - 23rd December 2022

Design Concept

The panel had no objection to the principle of this new residential development and generally thought the scale and density of the scheme to be in keeping with other developments in the area.

Design Detail

The introduction of rendered bays to differentiate the houses from others provides interest but has not been fully resolved in detail - the plans and elevations do not match.

The Sustainability Statement is far too general and provides insufficient detail. The use of gas boilers for heating, for example, will not meet Cheltenham Net Zero Carbon targets. The panel suggest a pre-commencement condition is included to secure sustainability design objectives.

Recommendation Support subject to submission of further Sustainability details.

APPLICATION NO: 22/01891/FUL		OFFICER: Mr Ben Warren
DATE REGISTERED: 1st November 2022		DATE OF EXPIRY : 13th December 2022
WARD: St Marks		PARISH:
APPLICANT:	Mr John McCreadie	
LOCATION:	Playing Field Adj 10 Stone Crescent Cheltenham	
PROPOSAL:	Construction of 6 semi-detached dwellings	

REPRESENTATIONS

Number of contributors	9
Number of objections	9
Number of representations	0
Number of supporting	0

15 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 14th June 2023

All of my previous comments related to Health and Safety, increased traffic flow, limited parking, flood risks, impact on wildlife, etc. still apply. Please ensure you take them into consideration prior to making a decision on this Planning Application. In its current form the proposed new development will have a significant detrimental impact on the local area and its residents. This is the reason why the existing estate has been in place since 2001 and the land for the proposed new development has never been built upon. It is also the reason why you have so many objections raised against this current Planning Application and the others mentioned in the previous paragraph for the adjacent piece of land. This current Planning Application should really go to the Planning Committee for approval.

Comments: 23rd June 2023

There are quite a few reasons why the Planning Application should not be approved. As a resident of the area who was NOT consulted directly via a notification letter, I feel I am best placed to know the problems and issues that the proposed new development will cause to the area and local residents. My concerns / points about this particular Planning Application are as follows:

* I would expect all Objections raised against previous Planning Applications 14/01276/OUT, 17/00407/FUL, 18/01661/FUL and 18/02215/FUL to also be considered relevant to this current Planning Application, as they all use the same access point (i.e., the site in question is directly adjacent to the site which was covered by the aforementioned Planning Applications).

* The following articles are also pertinent, and I will be getting in touch with the press to make them aware of this new Planning Application:

- <https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653>

- <https://www.gloucestershirelive.co.uk/news/cheltenham-news/plans-new-housing-estate-could-1472592>

* There is a clear imbalance and discrepancy between the number of residents that were informed about the previous development versus the number that have been aware this time around. Residents of Wharfdale Square, Stone Bank and Lucinia Mews should also have been informed about this planning application. Due to there being only a single entry / exit point to the proposed new development I would have expected at least 60 residents to have been provided with letters of notification. Only 11 letters of notification were sent out to residents of Stone Crescent. The Planning Office were pulled up on this previously by me, admitted fault and thereafter sent additional letters out. This has not been the case this time around and as such I have a Stage 2 Complaint in progress, which will likely have to progress to the Local Government Ombudsman, unless CBC do the right thing.

* There will be an increase in traffic and congestion to / from the area, which is already overburdened. This is both during the development phase and once the houses have been built. According to the plans the proposed new development may only be for 6 houses, but 13 houses have already been approved under previous planning applications (mentioned above). Residents of Wharfdale Square, Lucinia Mews, Stone Crescent and South Bank will be heavily impacted by this increase in traffic, as there is only a single entry / exit point to the area. Construction traffic would have to access the site via Wharfdale Square and Stone Crescent. Construction traffic may not be able to negotiate / manoeuvre these tight turns safely when there are cars parked on both sides of the road. The existing road on Stone Crescent via Wharfdale Square was not designed to sustain such a large, potential increase in traffic flow. There have already been instances of vehicles belonging to existing residents being damaged by HGVs passing through the square. HGVs are required to reverse into Stone Crescent rather than drive straight in. Come and see this for yourselves if you don't believe me (Tuesday mornings are the best)! It's worth noting that New Dawn Homes (NDH) did some work on their existing site (18/02215/FUL) last year and had issues getting their HGVs into and out of the square. Refuse collectors also have issues and regularly have to ask people to move their cars. Only last year their negligent driving caused them to reverse into my car, which ended up getting written off (they admitted guilt and I did receive a payout after a few months of wasted effort chasing on my part). The point I'm trying to make here is that the local block paved roads are not geared up to handle HGVs and the additional traffic. This area has been established and maturing for over 22 years now. Residents should not have to tolerate this additional upheaval!

* There will be severe disruptions to the lives of existing residents. At present when cars are parked outside their own properties it is difficult if not impossible for 2 moving cars travelling in opposite directions to pass one another, as the roads are very narrow. There is no mention of the number of vehicular trips the site will generate, and a trip generation exercise has not been undertaken.

* According to the plans the proposed new development will be for 6 houses / 18 bedrooms. However according to the Revised proposed site layout plan, there are only 11 parking spaces allocated to these houses. This is clearly not enough and such residents of these new houses will impeach on existing parking.

* We have one narrow entrance roadway into the area with cars permanently parked down one side of it which is a nightmare normally when entering and exiting the square. This means only one vehicle can travel up or down the road at a time. How will this work for large lorries and building works vehicles on what is essentially a one-way access to the area? Then there is the added issue of how the block paved road itself will cope with the additional heavily laden lorries and diggers, etc. Has anyone visited the square at peak times (i.e., school drop off / pick up times) to see the issues that we currently experience? Probably not....

* There will be a reduction in the amount of parking available in the area. Parking is already at a premium in the area. Construction vehicles parked in the existing estate will further exacerbate this problem. If contractors' and site workers' vehicles were to park in the existing development during construction, they would quickly swamp and block the existing development. This would be unacceptable for current residents. Construction traffic must not be allowed to park on the existing development if this Planning Application is approved. During school start and finish times cars are parked alongside the entrance to the square and all around it. Access is impeded by parents dropping off and collecting children from Rowanfield Infant and Junior schools and using the square as a car park. There are a lot of cars parked illegally around this time, which has been highlighted to CBC and our local Councillor in the past, but they have chosen to ignore this fact, as it would involve them doing something about it and earning their keep! The entrance road is often double parked during these times, making passage even more difficult and dangerous. This will make it difficult for construction vehicles to enter / exit the site. An average of 1.83 cars has been allocated per house in the proposed new development. This will increase exponentially if the dwellings are Houses in Multiple Occupation (HMO), which a high quantity of the existing houses in the area already are. What are CBCs parking guidelines - specifically what is the minimum level of car parking that proposed new developments should offer, according to its size? I do not believe that the proposed new development provides sufficient parking space to meet these requirements. The proposed development is likely to generate a significant increase in the amount of local traffic and as such any loss of on-road parking could mean the loss of a valuable residential amenity.

* With the proposed new development there will be a loss of existing parking spaces at the end of Stone Crescent that are in regular use. Where will these cars park? You should visit Stone Crescent in the evening and see all of the parked cars you will be displacing if this Planning Application is approved.

* Annex 5 Manual for Gloucestershire Streets (4th Edition) 2016 - "Developers are encouraged to calculate the parking demand that would be generated by the proposed development using the methodology set out in the NPPF and submit this evidence with the planning application. 2011 Census data in respect of car ownership is available for super output areas and this should be the starting point for determining likely car ownership levels for your development". No justification for parking standards based on census data has been provided in the Planning Design and Access Statement.

* No assessment of the site's accessibility and opportunities for sustainable travel have been undertaken. It is necessary to identify what local services and amenities are located in proximity to the site, and also what alternative sustainable travel opportunities are present to enable future residents and visitors to choose sustainable alternatives i.e., walking, cycling and public transport facilities in proximity to the site.

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* Please take the time to visit the local area at the pertinent times (e.g., school start times, school end times, in the evening when people have returned from work, when the refuge collections are taking place, etc.) prior to making a decision about the Planning Application. This clearly has not happened up to now or you wouldn't even be considering this Planning Application.

* I would expect the NDH literature (Design and Access Statement) to be updated for the following reasons:

- to accurately images of the parking situation, as the image shown on Page 3 was clearly taken at a time of day when there is plenty of available parking (i.e., people are at work). This image has also been stretched (i.e., doctored deliberately?) by the document creator to mislead the Planning Office into thinking that Stone Crescent is a lot wider than it actually is.
- to accurately reflect the number of houses that are being proposed. Says 7 when the application is for 6 houses.
- to accurately reflect the number of garages and parking spaces being made available.

A decision must not be based on the inaccurate / incorrect representation of the current situation, which NDH has provided in their literature.

* See the image provided in the objection letter provided by 6 Stone Crescent (Planning Application 17/02460/FUL) for an accurate representation of the parking situation in Stone Crescent. Also see the images in Gloucestershire Live (<https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653> and <https://www.gloucestershirelive.co.uk/news/cheltenham-news/plans-new-housing-estate-could-1472592>) for an accurate representation of the parking situation at school pick up time. Against Planning Application 18/01661/FUL, I supplied Michelle Payne (previous Planning Officer) with a document which provides an accurate representation of the parking situation on Stone Crescent and in the local area. The provided document should be taken into consideration when making the decision about this current Planning Application and was uploaded on 31/08/2018 if you want to see it for yourself.

* The NDH literature (Design and Access Statement) states - "3.1 - Paragraph 14 of the NPPF is clear that for decision taking, the presumption in favour of sustainable development means approving development proposals that accord with the development plan without delay". However Paragraph 13 of the NPPF states - "The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications." Guidance is defined as "advice or information aimed at resolving a problem or difficulty, especially as given by someone in authority." As such it may or may not be followed dependent on external factors. What the NDH literature (Design and Access Statement) does not state is that "where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted." As such, due care and consideration should be taken prior to making a decision about the Planning Application. This means not making a rash decision without knowing the full facts as the NDH literature (Design and Access Statement) seems to be intimating that approval is a foregone conclusion.

* The Construction Method Statement is not on the Website against the Planning Application. Please make this statement publicly available and provide details of who to contact / escalate this to if NDH does not meet its obligations under the provided Construction Method Statement if this Planning Application is approved. My understanding of this is as follows - "No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. measures to control the emission of dust and dirt during construction
- Reason: To reduce the potential impact on the public highway."

* Children can regularly be seen playing around the area throughout the day and there are also children walking to / from the school during school pick up and drop off times. This poses a health and safety issue, as during the development phase and post the development phase traffic flow will increase significantly, which also increases the chances of a traffic related incident / accident occurring. Pedestrian safety is imperative! No assessment has been made of the local highway network in terms of reviewing personal injury collisions in proximity to the site, etc. Note that there are no designated footpaths / pavements in Wharfdale Square, so individuals (adults and children alike) are regularly seen walking on the roads as there is no alternative due to existing residents park outside their houses (i.e., effectively the pavement). Residents of the local area have over the years become aware of this and drive accordingly but there are still several 'near misses' in the area.

* The Joint Core Strategy (JCS) is a partnership between Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council. The link is here - <https://www.gloucester.gov.uk/media/5441/jcs.pdf>. At a minimum I would expect the following Policies to be met in this Planning Application - SD4 and INF1. Please articulate where and how you are not meeting them?

Policy SD4: Design Requirements

1. Where appropriate, proposals for development - which may be required to be accompanied by a masterplan and design brief - will need to clearly demonstrate how the following principles have been incorporated:

- i. Context, Character and Sense of Place; New development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.
- ii. Legibility and Identity; New development should create clear and logical layouts that create and contribute to a strong and distinctive identity and which are easy to

understand and navigate. This should be achieved through a well-structured and defined public realm, with a clear relationship between uses, buildings, routes and spaces, and through the appropriate use of vistas, landmarks and focal points.

iii. Amenity and space; New development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution.

iv. Public realm and landscape; New development should ensure that the design of landscaped areas, open space and public realm are of high quality, provide a clear structure and constitute an integral and cohesive element within the design. The contribution of public realm designs, at all scales, to facilitate the preferential use of sustainable transport modes should be maximised.

v. Safety and security; New development should be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime.

vi. Inclusiveness and adaptability; New development should provide access for all potential users, including people with disabilities, to buildings, spaces and the transport network, to ensure the highest standards of inclusive design. Development should also be designed to be adaptable to changing economic, social and environmental requirements.

vii. Movement and connectivity; New development should be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes, both through the application of legible connections to the wider movement network, and assessment of the hierarchy of transport modes set out in Table SD4a below. It should: - Be well integrated with the movement network within and beyond the development itself - Provide safe and legible connections to the existing walking, cycling and public transport networks; - Ensure accessibility to local services for pedestrians and cyclists and those using public transport - Ensure links to green infrastructure; - Incorporate, where feasible, facilities for charging plug-in and other ultra-low emission vehicles; - Be fully consistent with guidance, including that relating to parking provision, set out in the Manual for Gloucestershire Streets and other relevant guidance documents in force at the time.

2. Detailed requirements of masterplans and design briefs, should the Local Planning Authority consider they are required to accompany proposals, are set out in Table SD4d. These requirements are not exhaustive.

Policy INF1: Transport Network

1. Developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals should ensure that:

2. Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan.

3. Developers will be required to assess the impact of proposals on the transport network through a Transport Assessment. The assessment will demonstrate the impact, including cumulative impacts, of the prospective development on:

4. Where appropriate the Local Planning Authority may require applications to be accompanied by a Travel Plan that has full regard to the criteria set out in the NPPF.

* Hedges around Wharfdale square are renowned for blocking and impairing the vision of individuals driving around the square (i.e., lots of blind corners). There have been several near misses on Wharfdale Square due to the hedges being overgrown and not thinned appropriately, thereby making it difficult to see oncoming vehicles and increasing the potential of a traffic related incident / accident occurring. As near misses at these corners are already common with the current occupation and traffic levels, and are likely to increase, and lead to actual accidents, both during construction and after occupation of the new site, what are the Developers proposing to alleviate this? This has been highlighted to CBC's Parks and Landscapes department several times, but they have said they only cut the hedges once a year. Construction vehicles entering / leaving the site via one entry / exit point will further exacerbate the issue as the roads are very narrow (especially with residents' cars parked in front their houses). The road around the square is only wide enough for a single car most of the time.

* To ensure highway safety is not compromised, the following needs to be considered: traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians / cyclists.

* The site of the proposed new development which is prone to flooding when there is heavy rain will be even more vulnerable now than it already is. The site currently functions as a sink for surface water from the surrounding higher area. Adjacent houses and roads already flood in wet weather. Has a FRA been undertaken to ensure that existing residents will not be further impacted by the proposed new development in this current Planning Application? It should also be noted that even without the new development, Brooklyn Road suffers from drainage issues. STW can attest to this, as they have been doing some work to address these issues. The new development will exacerbate these issues. I also suggest going back to any archives you have for 2007 floods, as the plot of land in question and Brooklyn Road were flooded!

* The Cheltenham Local Plan Objective 30 states the following - "to reduce the risk of flooding and flood damage." The Cheltenham Local Plan (Para 13.4) states the following - "The primary responsibility for safeguarding land and property against flooding lies with the owner." Several the houses on Lucinia Mews, Brooklyn Road, etc. which back onto the site next to the proposed new development currently experience issues when it rains heavily (i.e., flooded toilets, sewage reflux, drainage problems, etc.). As this new site, will further exacerbate the issue. have any of these residents been approached by NDH to advise how their development plans will impact these existing houses? A local resident has commented against Planning Application 17/02460/FUL, that Brooklyn Road experiences "localised flooding during and after periods of heavy rain." Has anyone in the Planning Office investigated this aspect, as it was highlighted to them during a meeting with them on 5th February 2018? Also, Severn Trent Water regularly get called out to address drains overflowing on Brooklyn Road. This is without the proposed new development being factored into the equation. I would suggest that STW are approached for comment.

* The Cheltenham Local Plan (Para 13.15 and 13.17) states the following respectively - "Development usually increases the area within a site covered by impermeable materials. This will result in an increase in the quantity and rate of surface water run-off to watercourses. Many watercourses are susceptible to flooding or are only capable of accommodating run-off under pre-development conditions. Additional run-off from development can instigate or exacerbate flooding. In addition, development within flood plains, as well as increasing the risk of flooding, can disrupt existing flood flow regimes,

which, in turn, can result in damage to buildings, property and infrastructure. Supplementary Planning Guidance on Flooding and Sustainable Drainage Systems has been published which sets out in greater detail the requirements for sustainable drainage measures." and "PPG25 states that it is the responsibility of the developer to provide an assessment of whether proposed development is likely to be affected by flooding and whether the development will increase flood risk elsewhere. An assessment may also be needed of the risk of groundwater or local flooding due to overland sheet flow or run-off exceeding the capacity of drainage systems during prolonged or intense rainfall. The developer must satisfy the Council that any flood risk arising from proposed development can be successfully managed with the minimum environmental effect." I believe that the proposed new development is a direct contravention of these principles, and that the Developer intends to direct excess water to Brooklyn Road. The dip in Brooklyn Road has standing water when it rains heavily, and this is without the new development in place. There are regular drainage issues (i.e., overflowing onto the pavements) on Brooklyn Road, as I have already mentioned and I'm sure STW can also attest to this, as they can regularly be seen addressing these issues.

* The site, as shown on Environment Agency flood maps, identifies the risk of pluvial flooding is classified as 'High' and 'Medium'. I would suggest looking into these aspects. As per NPPF guidance it is recommended, given the pluvial flood risk, that a Level 2 Flood Risk Assessment (FRA) is carried out to examine this risk in more detail. The Level 2 FRA should also demonstrate how, through the use of SuDS, the amount of surface water entering sewer systems or local watercourses is managed to minimise the risk of pluvial flooding. Considering the site is undeveloped greenfield land, it is vital to show how any excess surface water resulting from an increase in impermeable areas as part of the development is to be managed. Currently it looks as though the mitigation is to direct excess water to surrounding gardens, particularly those at the bottom of Brooklyn Road. Things will get worse for local residents now the trees have been felled (highlighted against previous Planning Applications), as they would previously have absorbed some of the rainwater during heavy rainfall.

* I understand there is a culverted stream / brook (River Chelt possibly?) that runs under the site. The Cheltenham Local Plan (Para 13.34) states the following - "Both the Council and the Environment Agency are in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise, unless there is no reasonably practicable alternative or if the detrimental effects of culverting would be so minor that they would not justify a more costly alternative. Where practicable, the Council seeks to restore culverted watercourses to open channels and will require existing culverts to be opened up where they are affected by development proposals. Culverting can exacerbate flooding and destroy wildlife and amenity habitats. Where exceptionally culverting is permitted, suitable measures of mitigation or compensation must be provided (including the opening up of other sections of culvert and enhancing open stretches of watercourse within close proximity to the development). Such measures would be secured within the development by condition or planning obligation." Please can the Developer highlight what they intend to do with this culverted stream in order to meet the Cheltenham Local Plan?

* The drainage and power to the existing development is flaky at best normally, with drainage issues, power cutting off and low water pressure being an intermittent issue. Building new houses and linking them to the same systems and services will only cause more problems. We do not need any more problems!

* Severn Trent Water have said the following against 17/02460/FUL:

"Severn Trent Water advise that there are public sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval."

Please can you ensure STW are approached for comment as they may identify issues and stipulate safeguards. Their views are vital to residents of the existing development. I believe there is a high flood risk by building on this plot of land. We have seen actual evidence of this back in the floods of 2007 and when it rains heavily. However, this evidence seems to have been ignored.

* Please can you confirm whether Bromford Housing Association has been made aware of the Planning Application? They have between 15 - 20 houses in Lucinia Mews which will be negatively impacted by the proposed new development, as this Planning Application expands the building plot upon which NDH will already be building 13 houses. Lucinia Mews backs onto it and some of them already experience issues when it rains heavily (i.e. flooded toilets, drainage problems, etc.).

* I have in the past provided CBC's Planning Office with an email chain between local Councillors (John Webster, Sandra Holliday, Mike Skinner, Charmian Sheppard and David Fidgeon) and the ex-lead of the local area's Neighbourhood Watch Scheme stating the following - "the land behind has lots of sewer pipework underneath it and I believe and a ducted watercourse and can't be built on event though it is CC property." I would like to understand what has changed which has now made building on this land possible and whether it will negatively impact the residents of the existing development in any way. The Cheltenham Local Plan (Para 13.38) states the following - "Responsibility for sewerage and sewage treatment lies with Severn Trent Water, which has a duty to provide such public sewers as may be necessary for effectively draining their area, and to provide sewage disposal works which deal effectively with the contents of sewers. Development proposed over or adjacent to a public sewer which would make maintenance or replacement of that sewer unacceptably difficult or would prejudice the structural integrity of the sewer will generally be unacceptable." I believe that the proposed new development is a direct contravention of this principle.

* The building of residential homes will ruin a much-needed recreational area and reduce green space in this part of the town. This land could easily have been made into a children's play area. My understanding was that the land in question was originally going to be used as a nature reserve by the local school. Why did this plan not come to fruition?

* The Human Rights Act, in par

10 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 7th December 2022

I am frustrated that residents of Wharfdale Square have not been consulted about this proposal given that all cars accessing this new development, as well as construction vehicles will need to travel via the narrow road in front of their properties. It came as a surprise to see this application given that no work seems to have started with regards to the previous application. The only activity seems to have been a couple of pieces of machinery being on site temporarily which blocked access to the entire estate earlier this year. They were unable to navigate the tight corner, which gives me considerable concerns that the same will be true for other construction vehicles and needs to be addressed in the development plan.

I see that the majority of my concerns have been raised in the comments by the residents of Stone Crescent, but I would also draw your attention to previous planning applications for the site, and the eventual reduction in the number of dwellings. This new application combined with the existing one negates a number of the mitigations in the eventually agreed proposal with regards to instructure load. By splitting the planning in two I am also concerned that they are avoiding some of the regulations, such as those round affordable housing requirements.

The parking layout is also concern, as in reality only half the spaces will be available and it seems that one of the spaces for P7 and P5 would not be able to both be used. This will result on parking on the access roads to the area, preventing access from emergency vehicles, as has happened previously.

Please can the residents of Wharfdale Square be informed of this planned development, and given an opportunity to comment.

26 Cornwall Avenue
Cheltenham
Gloucestershire
GL51 8AY

Comments: 23rd June 2023

As most people have already said, this application is just getting round the original refusal of the number of houses originally requested.

Every single one of the previous objections stand - this way to game the number of dwellings requested is making a mockery of the council and planning committee.

To add to the parking problems and cars travelling in the area, the council have put up posts in from of Rowanfield school on both sides of the road to prevent parking.

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This has caused people in the morning, lunchtime and evening for school pick ups to park in the side roads in the area.

This will impact even more on the parking problems and, at school drop off / pick up times, put more people at risk with the increased traffic.

Again I can only point out the sly way this planning application has been put in - many people in the immediate area have not received letters saying this is being planned, with a single road receiving them.

I hope that the council see sense and deny this application.

4 Lucinia Mews
Cheltenham
Gloucestershire
GL51 8DR

Comments: 23rd June 2023

Relationship with 18/02215

22/01891 cannot be considered in isolation. It adjoins another larger proposed development, already approved but not yet built (18/02215). The two sites would effectively form a single development. The impact on the existing site will therefore be not just that of the 6 units in the new proposal, but that of the 19 units in both proposals taken together.

Impact

The main impact of both proposals is on the existing site roads. All residents of, and services for, both the existing and new sites have to use the existing roads. They are already heavily parked, heavily used for school traffic, and have two hazardous blind corners (at the north and east). The grass square is bordered by a fence and hedge, consistently at least 1.7-1.8m high, thus completely hiding approaching compact cars and vans. Many pedestrians, adults and children, residents and school-runners, believe they're safe here because it's a cul-de-sac, but there have already been near-misses at these blind corners.

Risk level

Traffic is likely to be proportionate to the number of units served. The existing site has approximately 60 units and already has traffic issues. We already know 18/02215 will increase this by 13 units (22%) above present. If 22/01891 is also approved, the two new proposals combined will instead increase it by 19 units (32%) above present. A 32% increase in RTA hazards would seriously dent the safety environment for existing residents and school-runners, and would be a poor welcome for prospective purchasers on the new development.

Consultation

NDH consultation on 22/01891 has been insufficient. Because the impact on existing site roads will affect all current residents, NDH should have consulted all existing residents. It has not contacted me, and I don't think I'm alone in that. It claims to have posted two notices during the consultation period, but I didn't see them.

9 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 21st November 2022

I would like to express my objections to 22/01891/FUL. Of gravest concern is that of safety, but I also object on traffic, noise, privacy, visual impact grounds and potential security issues.

The infrastructure within Wharfdale Square and Stone Crescent struggles to safely accommodate its current residents. As a pedestrian and cyclist, I have encountered a number of 'near misses' with cars and vehicles. There are no pavements or raised curbs on Wharfdale Square (in particular, in front of houses 7-11). The road is narrow too, and the tight and blind corners make it extremely difficult to traverse this area safely, no matter what mode of transport. Despite the obvious obstacles, road users do not slow enough, and an extension to Stone Crescent's road will only encourage more speed.

In addition, there are already parking issues around the estate often meaning road users are focused on weaving between stationary vehicles rather than on other vulnerable road users. Access and egress for service vehicles, including that of emergency services, may become problematic.

At school/rush hours these issues are exacerbated. In addition to more traffic and vulnerable pedestrians, I have also experienced first-hand how turning right into Wharfdale Square from Alstone Lane is also a danger. I have had vehicles undertake me, almost hitting me, while I wait for a gap in oncoming traffic. Further development will increase congestion, amplifying the current issues due to the increase in traffic levels.

Application 22/01891/FUL is not "just 7 houses". This plan is in addition to that of 13 houses still yet to be built. This yields 20 houses (of differing nature and resulting residential numbers) in total which alongside the above is unacceptable. Since residing in Stone Crescent, I have seen no indication of work starting on the original planning application.

The seven newer houses are not in-keeping with any of the various styles within the current estates of Stone Crescent, Wharfdale Square, (etc.). They are also of increased storeys, further impacting the privacy of, and potentially that of sunlight for, existing residents.

The current houses within the area are also built close to roads or pavements, in-keeping with the style of a closed Close. With more traffic, residents, etc., current residents will experience disturbances from increased noise levels, and a negative impact on their privacy.

The plan to build 20 residential properties in such a small area of land seems to imply over development.

I am also concerned about the local infrastructure problems which have been mentioned elsewhere. In particular, those such as sewers and the storm drain capacity that will

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increase the risks of surface water flooding and back flow of sewage and grey water waste. The development does not seem to have sufficient capacity to drain water away effectively, nor have any mitigation plan in place; particularly should an extreme weather event occur - events that seems to be happening more regularly.

Finally, many of the public comments mention a connection to the KGV playing fields. I object strongly to the idea of installing another access into the park. This would further amplify the points above, and in addition I have witnessed how gangs of youths congregate around the KGV park entrances and would fear the increased anti-social behaviour that I have experienced at these, along with personal safety and security concerns.

Owner of 9 Stone Crescent

Comments: 21st April 2023

I would like to take this opportunity to confirm that my objection and comments as of the 21st November 2022 still remain, despite the small amendment to the site plan.

Furthermore since my previous comment, parked cars and a lack of safe passage around the Wharfdale Square area has worsened.

Finally, I agree and echo the comments and concerns of my neighbours, and trust they are being given all due consideration.

,
Owner of 9 Stone Crescent

5 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 22nd November 2022

To whom it may concern,

I am a resident of the Stone Crescent, Cheltenham and I am writing to the Council to object the construction at the playing field ask 10 Stone Crescent.

First, the photo of the proposal is misleading, the wide of the road of the Stone Crescent looking towards the application site is just about 2 cars wide, including the driveway parking of 2 opposite sides of the house in Stone Crescent, the left of the road can only drive through by one car only. Also, the road in front of the house 10 and 11 is usually for vans or trucks to reverse their way out since the Stone Crescent is cul-de-cal.

Secondly, since the Stone Crescent, the Lucinia Mews, the South bank and the Wharfdale Square are all cul-de-cal, all the residents of these 4 streets can only drive in and out through the only road, the Wharfdale Square. Besides, during the school drop off

time and pick up time, many cars even parked into the Wharfdale Square. There is a lot of traffic flow in the Wharfdale Square. If the construction proposal is being accepted, the traffic would be really crowded with construction trucks and vans, it would become dangerous for all the students walking to the school and the residents of these 4 streets. In addition, the nearby the Princess Elizabeth Way is already a busy road, the traffic congestion would be more severe if more houses build in the neighborhood. The proposal area is in a well developed living area except the surrounding road is built in years ago and cannot be wider.

Thirdly, suppose the building company cares about the sustainability. The houses in the proposals should not install the gas pipeline and install the solar panels on the roof, electricity boiler and heat pumps in the houses and electric car chargers for environmental reasons. Electricity is a greener and cleaner energy than gas. The government had committed to reduce the carbon emissions and planned to ban the installation of gas boiler in the future.

We understand that the need of housing in Cheltenham area is raising rapidly ,however, is it a great solution to find a little developed area to build a few houses? Are we going to build on every inch of vacant land in the developed area of Cheltenham? There are many vacant areas that can build houses surrounding Cheltenham, with a long term big plan for the development with shops and schools, more houses can be built and more jobs can be provided, thus more people can find affordable house in Cheltenham.

I trust that the council offices can make a right decision.

The residents of Stone Crescent

4 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 9th April 2023

Hi, I am one of the tenants at 4 Stone Crescent.

I've read all the existing objections and I couldn't agree more with them.

Also, this will affect not only Stone Crescent but anywhere between Alston Ln and the building site. As my neighbours said, these roads are tiny and full of parked cars causing a massive nightmare, especially in the morning when parents drop off kids at school, they also use those roads to park their vehicles.

Almost every day when I go to work I have difficulties driving out of this area due to the school run heavy traffic which must be done very carefully as there are a lot of children around. How it would be with heavy machinery driving around? I don't believe they will even be able to access those roads in certain circumstances.

The picture in the documentation is not accurate and I believe it's very old, as the normal scenario is totally different. We have several cars parked everywhere from Alston Ln until

the building site, even worse after COVID because most of us can work from home full-time, so the normal daily scenario is a lot of cars everywhere.

I am not going out to move my car if any big lorry or heavy machinery can't access the building site and I'll be glad to check CCTV due to any damage was caused to any of our cars.

Other problems concerning me:

- How dirty are the roads going to get?
- How the noise it'll be controlled? considering a lot of people are working from home.
- How much pollution (including dust) it'll make? I have severe asthma and I bet other people around may have similar health issues).
- Where all the contractor's vehicles are going to park as the road already is a complete nightmare to park?

I am glad to take photos around the area which reflects a much more accurate situation including all the traffic in the morning, children walking everywhere from Alston Ln until Stone Crescent and how chaotic is the car parking situation.

The picture provided in the documentation makes the road looks much wider than actually is, and there is only one car parked.

A simple example is if you access Google Map Street View from June 2019 you can see how many cars normally we have around. But as said before, in the morning it's chaotic and this will be the time that the builders are going to be around too.

<https://www.google.com/maps/@51.9055232,-2.1043726,3a,75y,232.44h,76.11t/data=!3m6!1e1!3m4!1sInepB3rgnCIT0DyEBhYdCg!2e0!7i13312!8i6656>

11 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 20th November 2022

,

I would like to express my concerns in regard to planning application no. 22/01891/FUL. I am an owner of a property at 11 Stone Crescent, and I would like to describe several issues related to traffic, safety and amenity in relation to that application.

Traffic in the area is very heavy. The school on Alstone Ln and adjacent to Stone Crescent is a big public school attended by hundreds of students every day. The road that leads to stone crescent from Alstone Ln is used for a drop-off at 9:00 and pick-up at 15:00 everyday excluding term holidays. Only one lane is available on the access road from Alstone Ln on through Wharfdale Square to Stone Crescent, because of the number of cars that are being parked there. Children are running around to access the cars. Moreover, there is no curb on the side of the road next to Wharfdale Square number 7-11. Stone Crescent is already full of vehicles as some of the houses are shared between multiple tenants. On the stone crescent alone, at least 7 children live and use the road to

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play together and meet with each other. Everyday these children go on walks to the KGV park in various parts of the day. One of them being my son. That leads me to my first concern. I believe that safety measures are inadequate to the traffic, and transport of heavy-duty equipment and materials to build the development of 7 big houses in addition to 13 previously proposed houses and all of the infrastructure required.

During the first work that has been done in relation to the accepted development of 13 houses adjacent to stone crescent no.10. I have been woken-up around 7:30 by a construction company that was loading an excavator next to my car and entrance to my house. Not only the company (a contractor of New Dawn homes) were performing work outside of their permitted working hours 8:00 - 18:00. I have confirmed that with a planning enforcement officer from Cheltenham Borough Council. There was also no-one who was supposed to oversight the work and inform people about potential safety issues during that operation.

When I asked an owner of the land and proposer of the application 22/01891/FUL about the risk assessment for that loading operation, the answer was "there is one, probably". That leads me to thinking that he does not perform his due diligence in ensuring a safe manner of work and he does not control his contractors with the work being done. It is absolutely unacceptable to perform this type of activity without any safety measures, especially when there are multiple children in the area.

My last concern is related to the amenity of the area which will be damaged by the fact that all of the proposed dwellings in this application are terraced or semi-detached houses. Considering the fact that all of the houses on stone crescent are detached houses, that development will impact the attractiveness and pleasantness of the street. Additionally, traffic created by 20 houses in total, using that one street in my opinion will be unbearable and very dangerous in the long term.

To sum up, I would like to express my serious concerns about the issues above, especially safety and I would kindly ask you to consider this comment in a very serious manner. Protection of our little ones should be a priority and without additional access to the site from for example the park I cannot see it being safe enough.

Yours faithfully,

Owner of 11 Stone Crescent.

15 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 23rd June 2023

There are quite a few reasons why the Planning Application should not be approved. As a resident of the area who was NOT consulted directly via a notification letter, I feel I am best placed to know the problems and issues that the proposed new development will cause to the area and local residents. My concerns / points about this particular Planning Application are as follows:

* I would expect all objections raised against previous Planning Applications 14/01276/OUT, 17/00407/FUL, 18/01661/FUL and 18/02215/FUL to also be considered relevant to this current Planning Application, as they all use the same access point (i.e., the site in question is directly adjacent to the site which was covered by the aforementioned Planning Applications).

* The following articles are also pertinent, and I will be getting in touch with the press to make them aware of this new planning application:

- <https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653>

- <https://www.gloucestershirelive.co.uk/news/cheltenham-news/plans-new-housing-estate-could-1472592>

* There is a clear imbalance and discrepancy between the number of residents that were informed about the previous development versus the number that have been aware this time around. Residents of Wharfdale Square, Stone Bank and Lucinia Mews should also have been informed about this planning application. Due to there being only a single entry / exit point to the proposed new development I would have expected at least 60 residents to have been provided with letters of notification. Only 11 letters of notification were sent out to residents of Stone Crescent. The Planning Office were pulled up on this previously by me, admitted fault and thereafter sent additional letters out. This has not been the case this time around and as such I have a Stage 2 Complaint in progress, which will likely have to progress to the Local Government Ombudsman, unless CBC do the right thing.

* There will be an increase in traffic and congestion to / from the area, which is already overburdened. This is both during the development phase and once the houses have been built. According to the plans the proposed new development may only be for 6 houses, but 13 houses have already been approved under previous planning applications (mentioned above). Residents of Wharfdale Square, Lucinia Mews, Stone Crescent and South Bank will be heavily impacted by this increase in traffic, as there is only a single entry / exit point to the area. Construction traffic would have to access the site via Wharfdale Square and Stone Crescent. Construction traffic may not be able to negotiate / manoeuvre these tight turns safely when there are cars parked on both sides of the road. The existing road on Stone Crescent via Wharfdale Square was not designed to sustain such a large, potential increase in traffic flow. There have already been instances of vehicles belonging to existing residents being damaged by HGVs passing through the square. HGVs are required to reverse into Stone Crescent rather than drive straight in. Come and see this for yourselves if you don't believe me (Tuesday mornings are the best)! It's worth noting that New Dawn Homes (NDH) did some work on their existing site

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(18/02215/FUL) last year and had issues getting their HGVs into and out of the square. Refuse collectors also have issues and regularly have to ask people to move their cars. Only last year their negligent driving caused them to reverse into my car, which ended up getting written off (they admitted guilt and I did receive a payout after a few months of wasted effort chasing on my part). The point I'm trying to make here is that the local block paved roads are not geared up to handle HGVs and the additional traffic. This area has been established and maturing for over 22 years now. Residents should not have to tolerate this additional upheaval!

* There will be severe disruptions to the lives of existing residents. At present when cars are parked outside their own properties it is difficult if not impossible for 2 moving cars travelling in opposite directions to pass one another, as the roads are very narrow. There is no mention of the number of vehicular trips the site will generate, and a trip generation exercise has not been undertaken.

* According to the plans the proposed new development will be for 6 houses / 18 bedrooms. However according to the Revised proposed site layout plan, there are only 11 parking spaces allocated to these houses. This is clearly not enough and such residents of these new houses will impeach on existing parking.

* We have one narrow entrance roadway into the area with cars permanently parked down one side of it which is a nightmare normally when entering and exiting the square. This means only one vehicle can travel up or down the road at a time. How will this work for large lorries and building works vehicles on what is essentially a one-way access to the area? Then there is the added issue of how the block paved road itself will cope with the additional heavily laden lorries and diggers, etc. Has anyone visited the square at peak times (i.e., school drop off / pick up times) to see the issues that we currently experience? Probably not...

* There will be a reduction in the amount of parking available in the area. Parking is already at a premium in the area. Construction vehicles parked in the existing estate will further exacerbate this problem. If contractors' and site workers' vehicles were to park in the existing development during construction, they would quickly swamp and block the existing development. This would be unacceptable for current residents. Construction traffic must not be allowed to park on the existing development if this Planning Application is approved. During school start and finish times cars are parked alongside the entrance to the square and all around it. Access is impeded by parents dropping off and collecting children from Rowanfield Infant and Junior schools and using the square as a car park. There are a lot of cars parked illegally around this time, which has been highlighted to CBC and our local Councillor in the past, but they have chosen to ignore this fact, as it would involve them doing something about it and earning their keep! The entrance road is often double parked during these times, making passage even more difficult and dangerous. This will make it difficult for construction vehicles to enter / exit the site. An average of 1.83 cars has been allocated per house in the proposed new development. This will increase exponentially if the dwellings are Houses in Multiple Occupation (HMO), which a high quantity of the existing houses in the area already are. What are CBCs parking guidelines - specifically what is the minimum level of car parking that proposed new developments should offer, according to its size? I do not believe that the proposed new development provides sufficient parking space to meet these requirements. The proposed development is likely to generate a significant increase in the amount of local traffic and as such any loss of on-road parking could mean the loss of a valuable residential amenity.

* With the proposed new development there will be a loss of existing parking spaces at the end of Stone Crescent that are in regular use. Where will these cars park? You should visit Stone Crescent in the evening and see all of the parked cars you will be displacing if this Planning Application is approved.

* Annex 5 Manual for Gloucestershire Streets (4th Edition) 2016 - "Developers are encouraged to calculate the parking demand that would be generated by the proposed development using the methodology set out in the NPPF and submit this evidence with the planning application. 2011 Census data in respect of car ownership is available for super output areas and this should be the starting point for determining likely car ownership levels for your development". No justification for parking standards based on census data has been provided in the Planning Design and Access Statement.

* No assessment of the site's accessibility and opportunities for sustainable travel have been undertaken. It is necessary to identify what local services and amenities are located in proximity to the site, and also what alternative sustainable travel opportunities are present to enable future residents and visitors to choose sustainable alternatives i.e., walking, cycling and public transport facilities in proximity to the site.

* Please take the time to visit the local area at the pertinent times (e.g., school start times, school end times, in the evening when people have returned from work, when the refuse collections are taking place, etc.) prior to making a decision about the Planning Application. This clearly has not happened up to now or you wouldn't even be considering this Planning Application.

* I would expect the NDH literature (Design and Access Statement) to be updated for the following reasons:

- to accurately image the parking situation, as the image shown on Page 3 was clearly taken at a time of day when there is plenty of available parking (i.e., people are at work). This image has also been stretched (i.e., doctored deliberately?) by the document creator to mislead the Planning Office into thinking that Stone Crescent is a lot wider than it actually is.
- to accurately reflect the number of houses that are being proposed. Says 7 when the application is for 6 houses.
- to accurately reflect the number of garages and parking spaces being made available.

A decision must not be based on the inaccurate / incorrect representation of the current situation, which NDH has provided in their literature.

* See the image provided in the objection letter provided by 6 Stone Crescent (Planning Application 17/02460/FUL) for an accurate representation of the parking situation in Stone Crescent. Also see the images in Gloucestershire Live (<https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653> and <https://www.gloucestershirelive.co.uk/news/cheltenham-news/plans-new-housing-estate-could-1472592>) for an accurate representation of the parking situation at school pick up time. Against Planning Application 18/01661/FUL, I supplied Michelle Payne (previous Planning Officer) with a document which provides an accurate representation of the parking situation on Stone Crescent and in the local area. The provided document should be taken into consideration when making the decision about this current Planning Application and was uploaded on 31/08/2018 if you want to see it for yourself.

* The NDH literature (Design and Access Statement) states - "3.1 - Paragraph 14 of the NPPF is clear that for decision taking, the presumption in favour of sustainable development means approving development proposals that accord with the development plan without delay". However Paragraph 13 of the NPPF states - "The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications." Guidance is defined as "advice or information aimed at resolving a problem or difficulty, especially as given by someone in authority." As such it may or may not be followed dependent on external factors. What the NDH literature (Design and Access Statement) does not state is that "where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted." As such, due care and consideration should be taken prior to making a decision about the Planning Application. This means not making a rash decision without knowing the full facts as the NDH literature (Design and Access Statement) seems to be intimating that approval is a foregone conclusion.

* The Construction Method Statement is not on the Website against the Planning Application. Please make this statement publicly available and provide details of who to contact / escalate this to if NDH does not meet its obligations under the provided Construction Method Statement if this Planning Application is approved. My understanding of this is as follows - ""No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. measures to control the emission of dust and dirt during construction
- Reason: To reduce the potential impact on the public highway."

* Children can regularly be seen playing around the area throughout the day and there are also children walking to / from the school during school pick up and drop off times. This poses a health and safety issue, as during the development phase and post the development phase traffic flow will increase significantly, which also increases the chances of a traffic related incident / accident occurring. Pedestrian safety is imperative! No assessment has been made of the local highway network in terms of reviewing personal injury collisions in proximity to the site, etc. Note that there are no designated footpaths / pavements in Wharfdale Square, so individuals (adults and children alike) are regularly seen walking on the roads as there is no alternative due to existing residents park outside their houses (i.e., effectively the pavement). Residents of the local area have over the years become aware of this and drive accordingly but there are still several 'near misses' in the area.

* The Joint Core Strategy (JCS) is a partnership between Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council. The link is here -

<https://www.gloucester.gov.uk/media/5441/jcs.pdf>. At a minimum I would expect the following Policies to be met in this Planning Application - SD4 and INF1. Please articulate where and how you are not meeting them?

Policy SD4: Design Requirements

1. Where appropriate, proposals for development - which may be required to be accompanied by a masterplan and design brief - will need to clearly demonstrate how the following principles have been incorporated:

- i. Context, Character and Sense of Place; New development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, and having appropriate regard to the historic environment.
- ii. Legibility and Identity; New development should create clear and logical layouts that create and contribute to a strong and distinctive identity and which are easy to understand and navigate. This should be achieved through a well-structured and defined public realm, with a clear relationship between uses, buildings, routes and spaces, and through the appropriate use of vistas, landmarks and focal points.
- iii. Amenity and space; New development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution.
- iv. Public realm and landscape; New development should ensure that the design of landscaped areas, open space and public realm are of high quality, provide a clear structure and constitute an integral and cohesive element within the design. The contribution of public realm designs, at all scales, to facilitate the preferential use of sustainable transport modes should be maximised.
- v. Safety and security; New development should be designed to contribute to safe communities including reducing the risk of fire, conflicts between traffic and cyclists or pedestrians, and the likelihood and fear of crime.
- vi. Inclusiveness and adaptability; New development should provide access for all potential users, including people with disabilities, to buildings, spaces and the transport network, to ensure the highest standards of inclusive design. Development should also be designed to be adaptable to changing economic, social and environmental requirements.
- vii. Movement and connectivity; New development should be designed to integrate, where appropriate, with existing development, and prioritise movement by sustainable transport modes, both through the application of legible connections to the wider movement network, and assessment of the hierarchy of transport modes set out in Table SD4a below. It should:
 - Be well integrated with the movement network within and beyond the development itself
 - Provide safe and legible connections to the existing walking, cycling and public transport networks;
 - Ensure accessibility to local services for pedestrians and cyclists and those using public transport
 - Ensure links to green infrastructure;
 - Incorporate, where feasible, facilities for charging plug-in and other ultra-low emission vehicles;
 - Be fully consistent with guidance, including that relating to parking provision, set out in the Manual for Gloucestershire Streets and other relevant guidance documents in force at the time.

2. Detailed requirements of masterplans and design briefs, should the Local Planning Authority consider they are required to accompany proposals, are set out in Table SD4d. These requirements are not exhaustive.

Policy INF1: Transport Network

1. Developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. All proposals should ensure that:
2. Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be mitigated to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities and in line with the Local Transport Plan.
3. Developers will be required to assess the impact of proposals on the transport network through a Transport Assessment. The assessment will demonstrate the impact, including cumulative impacts, of the prospective development on:
4. Where appropriate the Local Planning Authority may require applications to be accompanied by a Travel Plan that has full regard to the criteria set out in the NPPF.

* Hedges around Wharfdale square are renowned for blocking and impairing the vision of individuals driving around the square (i.e., lots of blind corners). There have been several near misses on Wharfdale Square due to the hedges being overgrown and not thinned appropriately, thereby making it difficult to see oncoming vehicles and increasing the potential of a traffic related incident / accident occurring. As near misses at these corners are already common with the current occupation and traffic levels, and are likely to increase, and lead to actual accidents, both during construction and after occupation of the new site, what are the Developers proposing to alleviate this? This has been highlighted to CBC's Parks and Landscapes department several times, but they have said they only cut the hedges once a year. Construction vehicles entering / leaving the site via one entry / exit point will further exacerbate the issue as the roads are very narrow (especially with residents' cars parked in front their houses). The road around the square is only wide enough for a single car most of the time.

* To ensure highway safety is not compromised, the following needs to be considered: traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians / cyclists.

* The site of the proposed new development which is prone to flooding when there is heavy rain will be even more vulnerable now than it already is. The site currently functions as a sink for surface water from the surrounding higher area. Adjacent houses and roads already flood in wet weather. Has a FRA been undertaken to ensure that existing residents will not be further impacted by the proposed new development in this current Planning Application? It should also be noted that even without the new development, Brooklyn Road suffers from drainage issues. STW can attest to this, as they have been doing some work to address these issues. The new development will exacerbate these issues. I also suggest going back to any archives you have for 2007 floods, as the plot of land in question and Brooklyn Road were flooded!

* The Cheltenham Local Plan Objective 30 states the following - "to reduce the risk of flooding and flood damage." The Cheltenham Local Plan (Para 13.4) states the following - "The primary responsibility for safeguarding land and property against flooding lies with the owner." Several the houses on Lucinia Mews, Brooklyn Road, etc. which back onto

the site next to the proposed new development currently experience issues when it rains heavily (i.e., flooded toilets, sewage reflux, drainage problems, etc.). As this new site, will further exacerbate the issue. have any of these residents been approached by NDH to advise how their development plans will impact these existing houses? A local resident has commented against Planning Application 17/02460/FUL, that Brooklyn Road experiences "localised flooding during and after periods of heavy rain." Has anyone in the Planning Office investigated this aspect, as it was highlighted to them during a meeting with them on 5th February 2018? Also, Severn Trent Water regularly get called out to address drains overflowing on Brooklyn Road. This is without the proposed new development being factored into the equation. I would suggest that STW are approached for comment.

The Cheltenham Local Plan (Para 13.15 and 13.17) states the following respectively - "Development usually increases the area within a site covered by impermeable materials. This will result in an increase in the quantity and rate of surface water run-off to watercourses. Many watercourses are susceptible to flooding or are only capable of accommodating run-off under pre-development conditions. Additional run-off from development can instigate or exacerbate flooding. In addition, development within flood plains, as well as increasing the risk of flooding, can disrupt existing flood flow regimes, which, in turn, can result in damage to buildings, property and infrastructure. Supplementary Planning Guidance on Flooding and Sustainable Drainage Systems has been published which sets out in greater detail the requirements for sustainable drainage measures." and "PPG25 states that it is the responsibility of the developer to provide an assessment of whether proposed development is likely to be affected by flooding and whether the development will increase flood risk elsewhere. An assessment may also be needed of the risk of groundwater or local flooding due to overland sheet flow or run-off exceeding the capacity of drainage systems during prolonged or intense rainfall. The developer must satisfy the Council that any flood risk arising from proposed development can be successfully managed with the minimum environmental effect." I believe that the proposed new development is a direct contravention of these principles, and that the Developer intends to direct excess water to Brooklyn Road. The dip in Brooklyn Road has standing water when it rains heavily, and this is without the new development in place. There are regular drainage issues (i.e., overflowing onto the pavements) on Brooklyn Road, as I have already mentioned and I'm sure STW can also attest to this, as they can regularly be seen addressing these issues.

* The site, as shown on Environment Agency flood maps, identifies the risk of pluvial flooding is classified as 'High' and 'Medium'. I would suggest looking into these aspects. As per NPPF guidance it is recommended, given the pluvial flood risk, that a Level 2 Flood Risk Assessment (FRA) is carried out to examine this risk in more detail. The Level 2 FRA should also demonstrate how, through the use of SuDS, the amount of surface water entering sewer systems or local watercourses is managed to minimise the risk of pluvial flooding. Considering the site is undeveloped greenfield land, it is vital to show how any excess surface water resulting from an increase in impermeable areas as part of the development is to be managed. Currently it looks as though the mitigation is to direct excess water to surrounding gardens, particularly those at the bottom of Brooklyn Road. Things will get worse for local residents now the trees have been felled (highlighted against previous Planning Applications), as they would previously have absorbed some of the rainwater during heavy rainfall.

* I understand there is a culverted stream / brook (River Chelt possibly?) that runs under the site. The Cheltenham Local Plan (Para 13.34) states the following - "Both the Council

and the Environment Agency are in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise, unless there is no reasonably practicable alternative or if the detrimental effects of culverting would be so minor that they would not justify a more costly alternative. Where practicable, the Council seeks to restore culverted watercourses to open channels and will require existing culverts to be opened up where they are affected by development proposals. Culverting can exacerbate flooding and destroy wildlife and amenity habitats. Where exceptionally culverting is permitted, suitable measures of mitigation or compensation must be provided (including the opening up of other sections of culvert and enhancing open stretches of watercourse within close proximity to the development). Such measures would be secured within the development by condition or planning obligation." Please can the Developer highlight what they intend to do with this culverted stream in order to meet the Cheltenham Local Plan?

* The drainage and power to the existing development is flaky at best normally, with drainage issues, power cutting off and low water pressure being an intermittent issue. Building new houses and linking them to the same systems and services will only cause more problems. We do not need any more problems!

* Severn Trent Water have said the following against 17/02460/FUL:

"Severn Trent Water advise that there are public sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval."

Please can you ensure STW are approached for comment as they may identify issues and stipulate safeguards. Their views are vital to residents of the existing development. I believe there is a high flood risk by building on this plot of land. We have seen actual evidence of this back in the floods of 2007 and when it rains heavily. However, this evidence seems to have been ignored.

* Please can you confirm whether Bromford Housing Association has been made aware of the Planning Application? They have between 15 - 20 houses in Lucinia Mews which will be negatively impacted by the proposed new development, as this Planning Application expands the building plot upon which NDH will already be building 13 houses. Lucinia Mews backs onto it and some of them already experience issues when it rains heavily (i.e. flooded toilets, drainage problems, etc.).

* I have in the past provided CBC's Planning Office with an email chain between local Councillors (John Webster, Sandra Holliday, Mike Skinner, Charmian Sheppard and David Fidgeon) and the ex-lead of the local area's Neighbourhood Watch Scheme stating the following - "the land behind has lots of sewer pipework underneath it and I believe and a ducted watercourse and can't be built on event though it is CC property." I would like to understand what has changed which has now made building on this land possible and whether it will negatively impact the residents of the existing development in any way. The Cheltenham Local Plan (Para 13.38) states the following - "Responsibility for

sewerage and sewage treatment lies with Severn Trent Water, which has a duty to provide such public sewers as may be necessary for effectively draining their area, and to provide sewage disposal works which deal effectively with the contents of sewers. Development proposed over or adjacent to a public sewer which would make maintenance or replacement of that sewer unacceptably difficult or would prejudice the structural integrity of the sewer will generally be unacceptable." I believe that the proposed new development is a direct contravention of this principle.

* The building of residential homes will ruin a much-needed recreational area and reduce green space in this part of the town. This land could easily have been made into a children's play area. My understanding was that the land in question was originally going to be used as a nature reserve by the local school. Why did this plan not come to fruition?

* The Human Rights Act, in partic

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Planning Committee Officer Report

This application is required to be considered by Planning Committee because The Wilson Cheltenham Art Gallery And Museum Clarence Street is a Council owned building and therefore falls outside the agreed scheme of delegation.

IMPORTANT NOTE – THE CONSULTATION PERIOD FOR THIS APPLCATION HAS NOT EXPIRED. THE OVERALL DATE OF EXPIRY IS 24TH AUGUST 2023. THE APPLCATION WILL NOT BE DETERMINED BEFORE THIS DATE (please see section 5. publicity and representations for further information).

APPLICATION NO: 23/01123/LBC		OFFICER: Mr Chris Morris	
DATE REGISTERED: 4th July 2023		DATE OF EXPIRY: 29th August 2023	
DATE VALIDATED: 4th July 2023		DATE OF SITE VISIT:	
WARD: Lansdown		PARISH:	
APPLICANT:	The Cheltenham Trust		
AGENT:	Evans Jones Ltd		
LOCATION:	The Wilson Cheltenham Art Gallery And Museum Clarence Street Cheltenham		
PROPOSAL:	Internal works to the Wilson Art Gallery and Museum		

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The development site contains Wilson Cheltenham Art Gallery and Museum is a grade II listed building it was built and continues to function as a library, museum and art gallery. Begun 1888-89 by architects W.H. Knight and Chatters in mixed Renaissance styles. The development site is also located within the Central Conservation Area.
- 1.2 The proposed works are for internal works within the Victorian Wing to improve display spaces, public access and expand storage facilities. The proposed works include new stud walls, replacement of modern doors, internal concealment of window openings and the erection of a mezzanine level within Store 1.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Business Improvement District
Conservation Area
Core Commercial Area
Listed Buildings Grade 2
Principal Urban Area
Residents Associations
Residents Associations
Smoke Control Order

Relevant Planning History:

01/00863/LBC 12th September 2001 GRANT

Second floor toilet refurbishment

02/00742/LBC 11th September 2002 GRANT

Internal alterations consisting of various upgraded fire precaution works to the basement, common staircase, lending library and offices and installation of mobile racking to basement

02/00919/FUL 18th December 2002 REF

New extension on basement, ground, first and second floors and remodelling of existing (1989) building on ground, first, second and third floors and alterations to listed (1889) building and plant at roof level

02/00920/LBC 18th December 2002 REF

Demolition of 51 Clarence Street and alterations to existing (1887) library/museum including: alterations to roof top plant areas, refurbishment and remodelling of second floor galleries, removal of stair and new internal opening

02/00921/CAC 18th December 2002 REF

Demolition of all unlisted structures, walls and substructures within the site bounded by 53 and 55 Clarence Street and 3-5 Chester Walk

85/01056/LS 21st November 1985 PER

Art Gallery Cheltenham Gloucestershire - Erection Of Display Cases

85/01079/PF 21st November 1985 PER

Cheltenham Art Gallery and Museum Gloucestershire - Erection Of Three Enclosed Notice Boards On The Facade Of The Art Gallery

86/01207/PF 18th December 1986 PER

Museum And Art Gallery Cheltenham Gloucestershire - Extension To The Museum And Art Gallery - Phase 1

86/01208/PF 18th December 1986 PER

Museum And Art Gallery Cheltenham Gloucestershire - Extension To The Museum And Art Gallery - Phase 2

86/01214/LA 18th December 1986 PER

The Art Gallery And Museum Clarence Street Cheltenham Gloucestershire - Demolition Of Part Of The Building And Extension To Building, Erection Of 4-Storey Extension To The Museum Providing New Entry, Galleries And Offices (Phase 1)

86/01215/LA 18th December 1986 PER

The Art Gallery And Museum Clarence Street Cheltenham Gloucestershire - Demolition Of Part Of Building And Extension To Building And Erection Of A 4-Storey Building To The Museum To Provide New Entry Galleries And Offices (Phase 2)

89/00909/AI 24th August 1989 PER

Erection Of Illuminated Neon Signs

89/00957/AN 24th August 1989 PER

Display Of Non Illuminated Advertisements

89/00960/LA 24th August 1989 PER

Erection Of Signs To Front And Rear Of New Extension

90/00047/LA 22nd February 1990 PER

Alterations To Form New Shop And Installation Of An Additional Handrail To The Main Staircase

90/00400/LA 24th May 1990 PER

Demolition Of Wall To Provide A Service Counter To Coffee Shop

96/00125/AN 21st March 1996 PER

Display Of Two Fabric Banners Suspended Between Two Metal Brackets At Top And Bottom On The Clarence Street Facade (Revised Scheme)

96/00126/LA 21st March 1996 PER

Erection Of Banners On The Clarence Street Facade (Revised Scheme)

97/00448/AN 31st July 1997 PER

Application To Display Banners For 365 Days Per Year

07/01386/LBC 17th December 2007 GRANT

Installation of bird guarding systems to elevations (external)

08/00551/LBC 25th July 2008 GRANT

Internal alterations to kitchen and servery on first floor

09/00215/FUL 8th April 2009 WDN

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00216/LBC 8th April 2009 WDN

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, and demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00217/CAC 8th April 2009 WDN

Demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk. Demolition of garden wall structure bounding Chester Walk and extensions to the rear of number 51 Clarence Street in connection with proposed erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building

09/00785/FUL 23rd July 2009 PER

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00786/LBC 25th August 2009 GRANT

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, and demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00787/CAC 25th August 2009 GRANT

Demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk. Demolition of garden wall structure bounding Chester Walk and extensions to the rear of number 51 Clarence Street in connection with proposed erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building

83/00788/LA 24th March 1983 GRANT

Internal alterations to provide disabled persons ramp/lift and alteration to entrance

18/00039/ADV 20th April 2018 GRANT

Installation of two banner signs and one hanging sign

21/01596/LBC 5th October 2021 GRANT

Replace the worn ad parapet gutters, replace zinc sections of zinc courtyard roof

21/02596/FUL 25th March 2022 PER

Change of use of part of the ground floor for use as an extension to the existing café and associated alterations

21/02596/LBC 25th March 2022 GRANT

Change of use of part of the ground floor as an extension to the existing café and minor internal alterations to the ground, first and third floors

09/00785/FUL 2_ACTV

Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

C11/00018/DEMO 26th July 2011 CLOSED

Demolition of Art Gallery and Museum

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

Adopted Cheltenham Plan Policies

Adopted Joint Core Strategy Policies

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Other

4. CONSULTATIONS

Building Control

1st August 2023 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 A site notice was erected near the site and an advertisement was placed in the Gloucestershire Echo. No representations have been received from the publicity to date.
- 5.2 **IMPORTANT NOTE** – The 21 day site notice and the date of overall expiry has not expired for this application. These both expire on 24th August 2023. The application will not be determined before this date.
- 5.3 The application is before Planning Committee in advance of the site notice and date of overall expiry to expedite consideration of the decision. This is required because of the time sensitive nature of external grant funding for the scheme, which expires if works are not completed on site by the end of 2023. In addition, the determination of the application would fall within the target period.
- 5.4 Should negative representations be made on the application after any Planning Committee decision the application will need to return to Planning Committee for further consideration.

6. OFFICER COMMENTS

- 6.1 The Wilson Cheltenham Art Gallery and Museum is a grade II listed building located within the Central Conservation Area.
- 6.2 The proposed works are for internal works within the Victorian Wing to improve display spaces, public access and expand storage facilities. The proposed works include but are not limited to new stud walls for display purposes, replacement of modern doors, internal concealment of window openings and the erection of a mezzanine level within Store 1.

- 6.3** Given the sensitivity of the site and its context, regard needs to be given to the legal and policy context as it applies to heritage assets. The cornerstone of heritage legislation is the Planning (Listed Buildings and Conservation Area) Act 1990 of which para 72(1) states: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and para 16(2), which requires local planning authorities to have special regard to the desirability of preserving the special architectural or historic interest of listed buildings and their setting. A core principle of the National Planning Policy Framework 2021 (NPPF) is heritage assets be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 199-208 set out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations in these paragraphs, including paragraph 197 of the NPPF, which requires the significance of heritage assets to be sustained and enhanced, with paragraph 199 requiring great weight be given to the asset's conservation.
- 6.4** Regarding the proposed internal works, most are considered to be minor in nature and as a result do not affect the special interest of the listed building.
- 6.5** The proposed new stud walls are considered necessary for the function of the building as an art gallery and museum. The new stud walls are limited in extent, only altering the floor plan minimally and do not therefore affecting significance.
- 6.6** The replacement of internal doors affect modern doors that are not of special interest their replacement is therefore not considered to affect significance.
- 6.7** The internal concealment of window openings is required to protect exhibitions from sunlight. This alteration would result in the windows not being visible internally but would not meaningfully affect the external appearance of the listed building. This alteration is considered necessary for the function of the building as an art gallery and museum and importantly is non-permanent and easily reversible at some future date should it be no longer required.
- 6.8** The insertion of a mezzanine floor within Store 1 would subdivide this room horizontally. The works are required to provide additional storage for the art gallery and museum. Notably, the mezzanine is proposed to be kept away from the existing wall on the eastern and western ends of Store 1 to accommodate a staircase and a large museum exhibition storage space at either end. This allows some sense of the original room proportions to be evident. It is also notable the floor level of the mezzanine is proposed to sit in line with the window transoms, avoiding awkward bisection of the window and allowing the mezzanine to be less evident externally. The room is plain so no historic detailing will be affected by the proposed works. This alteration needs to be considered in the context of the Wilson Cheltenham Art Gallery and Museum where room proportions are largely unaltered, in this context the proposed works are a minor alteration to the floor plan.
- 6.9** The proposed works are considered to sustain the significance of heritage assets and give great weight to the asset's conservation by providing minor changes to allow the continued functioning of the listed building as an art gallery and museum. The proposed works are considered to comply with Section 16 of the Planning (Listed Building and Conservation Area) Act 1990, Chapter 16 of the National Planning Policy Framework 2021 and Policy SD8 of the Joint Core Strategy 2017.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is recommended that the application be granted consent subject to conditions.

- 7.2 The information in section 5. Publicity and Representations of this report needs to be noted prior to any Planning Committee decision.

8. CONDITIONS / INFORMATIVES

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

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

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

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

- 3 The mezzanine stairs, railings and fixings shall not be installed, implemented or carried out unless in accordance with details, to include but not limited to materials, finish, detailed elevations and cross sections, which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

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

- 4 Notwithstanding the submitted details, further clarifying details of the treatment of the floors shall have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out unless in accordance with the details so approved.

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

INFORMATIVES

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

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

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

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

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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	Dismissed	27.04.2023	n/a	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	Allowed	18.05.2023			
22/01145/FUL	23/00003/PP1	3 Apple Close	written	24.01.2023	31.01.2023	28.02.2023	28.02.2023	Allowed	19.04.2023			
22/00708/FUL	23/00004/PP1	37 Market Street	written	24.01.2023	31.01.2023	28.02.2023	28.02.2023	Allowed	19.04.2023	Allowed		
20/01788/FUL	23/00005/PP1	Land at Shurdington Road	Hearing	17.04.2023	24.04.2023	22.05.2023	22.05.2023				04.07.2023	
22/01162/FUL	23/00006/PP2	101 Ryeworth Road	written	08.03.2023	15.03.2023	12.04.2023	12.04.2023	Dismissed	08.06.2023	n/a		
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	Dismissed	19.06.2023	Refused		
22/00334/COU	23/00009/PP3	8 Imperial Square	written	29.03.2023	05.04.2023	03.05.2023	17.05.2023					
21/02750/FUL	23/00010/PP1	Land Adjoining Leckhampt	Hearing	30.03.2023	06.04.2023	04.05.2023	18.05.2023				12.07.2023	
22/01430/FUL	23/00011/PP1	10 Suffolk Road	HAS	31.03.2023	07.04.2023	n/a		Dismissed	19.05.2023			
22/01679/FUL	23/00012/PP1	28 West Down Gardens	HAS	03.04.2023	10.04.2023	N/a						
22/00328/FUL	23/00013/PP1	os 195 High Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/00328/ADV	23/00014/ADV1	os 195 High Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/00326/FUL	23/00015/PP1	23 Pittville Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/00326/ADV	23/00016/ADV1	23 Pittville Street	Written	18.04.2023	25.04.2023	23.05.2023	06.06.2023	Dismissed	16.06.2023			
22/02201/FUL	23/00017/PP1	Phylnor, 53 Alstone Lane	Written	17.05.2023	24.05.2023	21.06.2023	05.07.2023					
22/02190/PRIOR	23/00018/PP1	5G Mast, Glenfall Way	written	18.05.2023	25.05.2023	22.06.2023	06.07.2023					
22/02075/FUL	23/00019/PP1	4 Dymock Walk, Cheltenham	HAS	26.06.2023	03.07.2023	n/a	n/a					
22/00112/OUT	23/00020/PP1	Land adj to Oakhurst Rise	Written	24.07.2023	31.07.2023	28.08.2023	11.09.2023					
23/00361/FUL	23/00021/PP1	4 Red Rower Close, Cheltenham	HAS	31.07.2023	07.08.2023	n/a	n/a					
22/01964/FUL	23/00022/PP1	201 Gloucester Road, Cheltenham	HAS	04.08.2023	11.08.2023	n/a	n/a					

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REPORT OF THE INTERIM 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

July/August 2023

Address	Proposal	Delegated or Committee Decision	Appeal Type	Anticipated Appeal Determination Date	Reference
Telecommunications Mast And Cabinet CLM24981 Princess Elizabeth Way	Proposed 5G telecoms installation: H3G 20m street pole and additional equipment cabinets	Delegated Decision	Written representation	n/a	22/01937/PRIOR
6 Marsh Lane	Change of use from a single dwelling (Class C3) to a four bed House in Multiple Occupation (HMO) (Class C4)	Delegated Decision	Written representation	n/a	22/01864/COU

218 High Street	Change of use of the ground floor from a retail unit (Class E) to an Adult Gaming Centre (Sui Generis) and first floor to associated storage and staff area with external alterations and associated works.	Delegated Decision	Written Representation	n/a	23/00452/COU
Telecommunications Mast And Cabinet Prestbury Road Cheltenham Gloucestershire	Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets	Delegated Decision	Written representations	n/a	23/00431/PRIOR
10 Selkirk Street	Erection of 1no. three storey self-build dwelling on land adjacent to 10 Selkirk Street	Committee Decision	Written Representations	n/a	22/01441/FUL

Appeals being processed

Address	Proposal	Delegated/Committee Decision	Appeal Type	Outcome	Reference
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 (New procedure Change now a hearing date is 4th July 2023)	Not Decided	Planning ref: 20/01788/FUL Appeal ref: 23/00005/PP1

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
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 (rescheduled for 12th July 2023))</p>	<p>Not Decided</p>	<p>Planning Ref: 21/02750/FUL Appeal Ref:</p>
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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
53 Alstone Lane	Erection of a single storey dwelling on land to rear of the existing property	Delegated Decision	Written representations	Not Decided	Planning ref: 22/02201/FUL Appeal ref: 23/00017/PP1
Telecommunications Mast And Cabinet CLM26321 Glenfall Way	Proposed 5G telecoms installation: H3G 16m street pole and additional equipment cabinets	Delegated Decision	Written Representations	Not Decided	Planning ref: 22/02190/PRIOR Appeal Ref: 23/00018/PP1
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)	Delegated Decision	Written representation (householder)	Not decided	Planning ref: 22/01075/FUL Appeal ref: 23/00019/PP1

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 representation	Not decided	Planning ref: 22/00112/OUT Appeal Ref 23/00020/PP1
4 Red Rower Close	Two storey and single storey extension to the front and loft extension and dormer	Delegated Decision	Written representation (Householder)	Not Decided	Planning Ref: 23/00361/FUL Appeal Ref: 23/00021/PP1
201 Gloucester Road	Installation of raised, split level patio area with boundary treatments (Retrospective).	Delegated Decision	Written representation (Householder)	Not Decided	Planning Ref: 22/00022/PP1 Appeal ref: 23/00022/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
3 Apple Close, Prestbury	Replacement of existing conservatory with single storey rear extension. Increase in ridge height to facilitate loft conversion with rear dormer.	Delegated Decision	Written Representation	Appeal Allowed	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 representations	Appeal Allowed Appeal Costs (Allowed)	Planning Ref: 22/00708/FUL Appeal Ref: 23/00004/PP1

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 (date 22/03/23)	Appeal Hearing Dismissed	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 representations	Appeal Allowed	Planning ref: 22/00839/FUL appeal ref: 23/00002/PP1

10 Suffolk Road	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)	Delegated Decision	Written Representations Householder Appeal	Appeal Dismissed	Planning ref: 22/01340/FUL Appeal ref: 23/00011/PP1
101 Ryeworth Road	Erection of two storey and single storey rear extensions and single storey front extension.	Non-Determination	Written Representation	Appeal Dismissed	Planning ref: 22/01162/FUL Appeal Ref: 23/00006/PP2
o/s 195 High Street Cheltenham	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 Representation	Appeal A Dismissed Appeal B Dismissed	Planning Ref: 22/00328/ADV and FUL Appeal Ref: 23/00013/PP1 23/00014/ADV1
o/s 23 and 23 A Pittville Street	Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens,	Delegated Decision	Written representation	Appeal A Dismissed Appeal B Dismissed	Planning ref: 22/00326/ADV and FUL Appeal Ref: 23/00015/PP1 23/00016/ADV1

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	Appeal Decision Dismissed Cost Decision Dismissed	Planning ref: 22/02064/FUL Appeal Ref: 23/00008/PP1

Authorised By: Mike Holmes 8th August 2023