

APPLICATION NO: 13/01459/COU		OFFICER: Mrs Wendy Hopkins	
DATE REGISTERED: 22nd August 2013		DATE OF EXPIRY : 17th October 2013	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Ms J Cox		
LOCATION:	Castle Dream Stud, Mill Lane, Charlton Kings		
PROPOSAL:	Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses		

REPRESENTATIONS

Number of contributors	35
Number of objections	26
Number of representations	2
Number of supporting	7

24 Home Farm Court
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LA

Comments: 15th October 2013
Letter attached.

Comments: 27th December 2013
Letter attached.

Ham Green Cottages
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 6th October 2013

We wish to object most strongly to the "Change of use of land for the permanent residential occupation by a traveller family".

There is still a year to run on the temporary occupation of the site as was granted on appeal. The conditions and restraints imposed by the appeal decision have not been met or adhered to and it is our view further planning approvals should not be considered or granted until all conditions of the appeal are met.

It is noted that one condition required the "immediate vacation" of the site if any condition was broken. This should be in forced accordingly, since it is apparent that conditions have not been complied with.

The description "traveller family" is too vague as it could imply a vast number of members of the family, leading to a detrimental situation for the A.N.O.B. whereby the site utilisation could rapidly expand out of control.

Please reject this application in its entirety.

118 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 16th October 2013

The AONB should be maintained for its agreed purpose and the benefit of all.

Development by anyone should be resisted and the fact that this application is for the benefit of a traveller family is irrelevant. The law and planning law should be applied consistently.

The proposal should be rejected as it contravenes the purpose of AONB status and the protection of the countryside and its amenities.

Entrance to the site already constitutes a traffic hazard at times - on a narrow and winding country lane - further development (which approval will lead to) will worsen this position.

The Council needs to consider the precedent which would be set if this proposal was agreed - since it would be required to apply the same principles when considering what will inevitably be further applications.

Comments: 1st January 2014

My objections to this application remain the same as those indicated to you on 16th October 2013 and reference should be made to these when officers/Councillors are considering this revised application.

I further object to the timing of this consultation - presented immediately prior to the Christmas holiday period (I received my letter from the Council on 23rd December) with a response deadline of the first working day following the New Year Bank Holiday. I doubt whether this timetable meets the requirements for an adequate period of consultation and would withstand what will be the inevitable external scrutiny should this application be allowed to proceed.

1 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 9th October 2013

Letter attached.

Stonecrop
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 3rd October 2013

Letter attached.

8 Ham Close
Cheltenham
Glos
GL52 6NP

Comments: 3rd October 2013

Letter attached.

Comments: 30th December 2013

Letter attached.

Millcroft
Mill Lane
Charlton Kings
Cheltenham
Gloucestershire
GL54 4EP

Comments: 8th October 2013

I am writing to object to the application 13/01459/COU, Castle Dream Stud, Mill Lane, GL54 4EP for permanent occupation. This site is in an AONB and the work done there during the temporary permission period has already significantly changed the landscape in a detrimental way. The rural feel of the property which enhanced the beauty of the countryside now appears quite urbanised. There are more caravans there than permitted and there are no longer any horses, nor have there been for about 18 months. I hope that the planners will reject the application for permanent residency in order to protect this property in the AONB in keeping with the National Planning Policy.

Court Barn
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th October 2013

We object to the change of use of the land for permanent residential occupation at Castle Dream Stud, Mill Lane, Charlton Kings for the following reasons:

1. The Appeal Inspector's Conclusions have been disregarded

Most importantly, the current application questions the Appeal Inspector's judgement (of 6th September 2011) on the fair treatment of gypsies. It also calls into question the Borough's environmental concerns. We would refer back to his arguments.

2. The adverse effects on the AONB

The Borough Council has a long record of consistently defending the AONB against planning applications likely to harm it. Why on earth should this change now. The Inspector commented on the adverse effects of the gypsy site on the AONB and if permanent permission is given now it will remove any chance of the site being returned to its original state as required by the Inspector. The AONB is still strongly protected in the new National Planning Policy Framework which has the highest status of protection in relation to landscape and scenic beauty. It is very difficult to see how the AONB can be anything but harmed if the application is allowed to go through.

3. Significant adverse changes are proposed to the Inspector's conditions

The current application is for a permanent residential occupation for a traveller family. Previously, the Inspector gave temporary permission specifically for Mr and Mrs Cox and any of their dependents. Moreover at the time of the Appeal the need to look after their horses was an important factor in the decision although I understand the horses are no longer there. So the current application will significantly widen the scope of who can occupy the land from one specific family to any traveller family who happens to fancy it. How is this justified??

We therefore trust that the application will be declined.

Comments: 27th December 2013

RE: Change of use of land etc at Castle Dream Stud Mill Lane Charlton Kings.

We are writing in response to Tracey Crew's letter of 19th December 2013. We object to the change of use of the land for permanent residential occupation at Castle Dream Stud, Mill Lane, Charlton Kings for the following reasons: (representation of 8th October – see above - repeated)

Old Ham House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th October 2013

I am writing to object to the application to make the Mill Lane "Castle Dream Stud" site permanent. This area of outstanding natural beauty has become very urbanised since temporary permission for residential occupation was granted. Permission for a permanent site should not be given as it contravenes the new National Planning Policy Framework which states "great weight should be given conserving landscape and scenic beauty in areas of outstanding natural beauty". However tidy the site is, it is a far cry from the natural beautiful field which existed there before.

Temporary permission was granted to enable Mr and Mrs Cox to live alongside their horses. Mrs Cox now lives there alone and there have been no horses on the site for over a year.

Granting permanent permission will set another precedent, and it will become increasingly difficult to prevent similar developments in the fields in the Mill Lane and Ham area, thus slowly eroding the Area of Outstanding Natural Beauty.

The Bredons
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PR

Comments: 8th October 2013

I am writing with regard to the above Planning Application.

As far as I can see, all the arguments, both for and against the application, have already been well rehearsed.

The terms of the previous application are already in breach in that there is no evidence of horses being maintained on the site which was the reason for the family wanting to live there.

It would seem to me that the Council ultimately has to decide whether to stick to its already considered decision or to yield yet further ground in the face of persistent re-applications targeted at ever widening the scope of previously reached decisions.

With the last reached decision still having nearly a year still to run, during which time a JCS decision could well be reached on a more suitable long term site, this latest application is not appropriate at the moment.

Whatever the decision ultimately reached, it should be seen to be compatible with existing guidelines and to be fair by the general public, the vast majority of whom toe the line because the rule of the land is applied fairly.

14 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 8th October 2013

I am writing to object to the above application mainly because of the adverse effects on the Cotswold Area of Outstanding Natural Beauty in which it lies.

Areas of outstanding Natural Beauty are meant to be protected areas. There is not only no advantage to the AONB to have this made a residential site, there is evidence of its development in this way being detrimental to its surroundings. Mr and Mrs Cox have been granted permission to use the land for country pursuits including breeding horses. I see no evidence of horses but more hardstanding and a heavily boarded garden fence have recently been established, hiding the field that previously existed and creating an urban look to the lane.

One of the conditions of temporary permission was that the site be returned to its original state at the end of the 3 year period. The inspector acknowledged the change of use had already caused visual harm for the AONB. I cannot believe that the planning committee can in all seriousness accept further harm. There was mention in the appeal that while temporary permission was in place an alternative site less harmful to the green environment might be found for permanent residential use.

Other locations in the AONB nearby have been refused permission for residential development. I cannot see why this case should be given special treatment when nothing of benefit is to be contributed to the area. This would be riding roughshod over the planning laws and recommendations.

Regarding the Inspector's conditions of the last appeal, temporary permission was given to Mr and Mrs Cox and dependants solely, not to any traveller family.

The inspector stated: '*When the land ceases to be occupied by those named in the conditions, the use permitted shall hereby cease and the land shall be restored to its condition before the development took place.*'

This suggests to me that the status of the permission should remain temporary. Besides, the temporary permission is valid until September 2014, almost a year from now, so there is no hurry to renew it. A permanent residential building would negate this condition.

The current application shows 3 caravans. The original condition, number 4, allowed for 1 static caravan and 1 touring. This was seen as sufficient for one family and would minimise the visual damage to the site.

The day room allowed by the last permission has not been built but the new application shows a structure which looks like a bungalow so not only is permanent residence asked for but also, perhaps, a permanent home. I object to the site being given permanent residential status as historically it has not been allowed for very good reasons. The building agreed upon was for the upkeep of horses, not as a home.

I ask the Borough to dismiss the application and uphold the present conditions and temporary permission. To do the opposite would be to disregard the Appeal Inspector's conclusions of 6th September, 2011. I see no good reasons to do so.

Comments: 31st December 2013

I am writing to object to the above application mainly because of the adverse effects on the Cotswold Area of Outstanding Natural Beauty in which it lies. The Cotswold A. O. N. B. is Gloucestershire's greatest asset attracting people to the area for recreation and to live. Protection of the A. O. N. B. is vital to maintain the character of this beautiful part of the country, and for the maintenance of Cheltenham's economy.

[Areas of outstanding Natural Beauty are meant to be protected areas...The building agreed upon was for the upkeep of horses, not as a home – as above]

I ask the Borough to dismiss the application and uphold the present conditions prescribed by the Inspector, two caravans, for the Cox family only and a temporary day room, with temporary permission to remain on the land, using it for agricultural purposes. I object to retrospective permission being given to the urban fencing or any other change which harms the natural beauty of the land. I also oppose any structure being given permanent permission as such development would not enhance the site. Development in the A.O.N.B. is to be of benefit to its location or it must not be allowed if we are to preserve the integrity of this very special region. The Appeal Inspector's conclusions of 6th September, 2011 do seem to recognise this and his recommendations should be followed.

Court Lodge
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th October 2013

Letter attached.

Comments: 19th November 2013

Letter attached.

Comments: 23rd December 2013

Castle Dream Stud, Mill Lane, Charlton Kings: Change of use of the land for permanent residential occupation Planning Ref 13/01459/COU

I have received Tracey Crews' letter of 19th December 2013 with information about revised drawings relating to unauthorised changes to the stable blocks at Mill Lane.

IF these changes were installed in lieu of constructing a permanent day room, and IF the plumbing arrangements are to Building Regs approval, - and only IF - it might be reasonable to permit the developments as part of the temporary permission even although they are in breach of the Inspectors Conditions.

I note from a communication with Councillor Wall that the Borough may be minded to extend the temporary permission rather than grant a permanent permission while the JCS evolves. I would support this IF the Inspector's original conditions are carried forward intact (with the possible variation noted in paragraph 2) and that the permission continues to be a personal permission to Mrs Cox for a maximum of 2 caravans allowed on the site.

As I note from the letter of the 19th that the wording of the application has not changed I repeat my earlier objections in case they will be discounted if I do not respond fully to the revised application.

I still object to the above application on the following grounds.

1 Disregard of Appeal Inspector's conclusions: decision dated 6 September 2011

The current application calls into question the Appeal Inspector's expert balanced judgment on fair treatment of the gypsies and of the Borough's environmental concerns. After all the work and time involved I object to the fact that his decision may be about to be ignored surely a serious matter - and would draw his arguments back to your attention.

2 Change of use is premature

I believe that the current application is premature. Mrs Cox has temporary permission until September 2014 and so is secure until then. The Inspector in his paragraph 37 considered this to be 'appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process'. This process is ongoing at this very moment but has not yet gone out either to informal or to formal consultation.

3 Adverse effects on AONB

I object to a permanent permission being granted now, as Cheltenham will lose any chance that the site may be returned to its original state at the end of the three year period as conditioned by the Inspector (his Conditions 2 & 3).

It also seems incomprehensible to me for the Borough to throw in the sponge at this late stage after all its efforts to give the 'great weight to conserving landscape and scenic beauty in . . . Areas of Outstanding Natural Beauty, which have the highest status of protection . . .' (NPPF Paragraph 115.)

You will recall that the Borough Council over the years and at considerable cost has consistently defended the field in question against planning applications likely to harm the natural beauty of this part of the Borough's green setting, even going to Appeal twice.

At the first Appeal a member of the settled community with apparently with no special Human Rights was refused permission on AONB grounds for a similar development on the land.

At the second, though granting a temporary retrospective permission to Mr and Mrs Cox as travellers with special Human Rights, our Inspector recognised the adverse effects of the gypsy site upon the AONB in his Overall Conclusion:

Paragraph 35: . . . *'I have also found that the change of use to Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB'*.

This harm is denied by the Applicant's agent, but it seems to me that caravans, large areas of sterile hardstanding, garden fencing and suburban entrance features are not an adequate replacement for the pond, willow trees and green grass that pre-existed the encampment.

4 Proposed adverse changes to Inspector's conditions

As mentioned, to limit the harm, conditions were placed on the temporary permission. I object to the fact that the current application would appear to do away with the following.

- a) The current application wording is for permanent residential occupation by a (therefore non-specific) traveller family. The temporary permission given by the Inspector was a PERSONAL permission to Mr & Mrs Cox and 'any resident dependants' then, two teenage sons. (Inspector's Condition 2). At the time of the Appeal their need to look after their horses on their land played a large part in influencing the decision though the 24/7 horse care seems to have come to an end some 18 months ago with the departure of the horses.

A traveller family leaves interpretation wide open for it to apply to any old family who would not necessarily have the urgent valid reason for living here as the Coxes did initially.

I object that it also supersedes the Inspector's Condition 3:

'When the land ceases to be occupied by those named in condition 2 the use permitted shall hereby cease . . . and the land shall be restored to its condition before the development took place.'

- b) The current application drawing shows three caravans (unspecified but drawn all the same size). The Inspector's Condition 4 states that only two caravans, one static caravan and one touring, *'shall be stationed on the site at any one time'*, this to reduce the adverse visual impact and considered adequate to house the dependent family. (I note that, according to the Office for National Statistics, 'dependant family' means children under 16, or those 16-18 in full-time education. A 'child' with a partner and/or offspring is not a dependant.)

5 Objection to a permanent day room at this stage

The current application mentions 'retention' of the dayroom. I do not believe that it has been constructed yet. There is a claim that the Borough has approved the design and materials - again I do not believe this to be the case, though, in approving the application as a whole, the very permanent almost bungalow-sized render-and-tile structure shown in the drawing will presumably also be permitted (8.3m x 6.6m x 4m high). I object to this permanent feature being allowed while there is any question about the site's permanence.

The Inspector, while suggesting a timber construction to match the stables, recognised the problem and stated that *'the proposal would add to the overall quantum of development on site. It would also formalise its use for residential purposes and result in the introduction of domestic paraphernalia . . .'*

Conclusion

I do hope that the Borough will dismiss the application, honour the Inspector's decision (and conditions) and reaffirm the temporary permission until September 2014. *

*I should be anxious in the extreme if I thought that permanent permission might be given just to boost the JCS supply of sites: I hope that you can confirm that this is not the case.

3 Natton Cottages
Ham Lane
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 8th October 2013
Letter attached.

Comments: 6th January 2014
Letter attached.

69 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th October 2013
Letter attached.

Piccadilly Farm
Agg Hill
Cheltenham
Glos
GL54 4ET

Comments: 8th October 2013
Letter attached.

67B Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th October 2013
Letter attached.

20 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 8th October 2013
Letter attached.

Ryeworth Inn
60 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 8th October 2013

Letter attached.

5 Ham Close
Cheltenham
GL52 6NP

Comments: 25th September 2013

I would like to make a few points about this application. My address is 5 Ham Close, GL52 6NP.

My main concern is for the AONB and that any application for a house or bungalow would properly be refused and I believe a permanent traveller occupation would have the same effect on the AONB. No doubt we all 'saw this coming' and I feel that travellers have an equal right to somewhere to live just as we all do - but this is the point - we should all be subject to the same rules and give the same care to our threatened natural environment. Surely this is an attempt to build now and possibly more in the future on an unspoilt part of a beautiful land and fields area.

I believe the application is for any traveller family, not just for Mr and Mrs Cox as in the original grant - a subtle but very important new aspect.

Regarding 'stables' I think there have been no horses there for the last 18 months!! This suggests the main application is for permanent occupation in which case the amount of land, in absence of horses, need not be so large and not be on the AONB! Perhaps a more suitable site can be found. Again, the application is for 3 trailers - a significant increase on the original - and would have greater impact on the environment, access traffic and road usage. The application for a day room, a permanent bungalow structure, would surely be refused if part of a normal bungalow on this site. The 3-bay stable proposed is also unclear. Past experiences might be a guide as to what might happen some few years into the future if permission were granted.

Please protect the AONB.

16 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 25th September 2013

I wish to oppose in the strongest possible terms the above application.

The previous temporary permission, was given on the basis of the owners needing a day room and other facilities to be on the site all day on account of their horse breeding activities, which purported to be their main source of income.

I understand that there have been no horses of the site for the past 18 months.

It follows that all justification for the special privileges afforded to date has evaporated, not to speak of the attempts to further extend and make permanent with the fresh Application the exceptional and advantageous treatment accorded the Coxes.

The raison d'être for the original temporary concessions having been proven to be absent during the last 18 months, far from their being any justification for extending the exceptional privileges as per the new application, there would be every reason to terminate forthwith the current temporary permission.

It is fundamentally undemocratic that a section of society can ride roughshod (quite literally) over the planning regulations by playing up "a traditional way of life", which they are not exercising and which in all probability has lost its economic basis for the foreseeable future. I have every sympathy for preserving a traditional Romany life-style, where this is genuine and sustainable, but no sympathy whatsoever for it being used as a pretext to obtain quite exceptional advantages, without the posited life-style subsequently being exercised.

Furthermore, I wish to state that I unreservedly support the other arguments being submitted by other members of the Ham Residents Association.

23 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 1st October 2013

I wish to raise my objection to the premature application by Mrs Cox to have the temporary site changed to a permanent site. The original application was granted because Mr & Mrs Cox had nowhere else to go and wished to be by their horses, which were for breeding purposes. To my knowledge there have been no horses there for 12 months. The temporary permission was for Mr & Mrs Cox, not for a whole gypsy family, which is the case now. The AONB has already been invaded by this original application. On completion of the temporary permission - September 2014 - the site should be returned to its natural state. I fear however with the weak planning office we have in Cheltenham that the Cox family will once again overrule the AONB regulations.

I would appreciate your comments.

Comments: 27th December 2013

Letter attached.

1 The Orchards
Glenfall Way
Charlton Kings Cheltenham
Gloucestershire
GL52 6BJ

Comments: 23rd December 2013

I have previously objected to the approval granted, and object to this change. The comments supplied by the residents of Court Lodge (Ham Road) and 14 Pembridge Close perfectly summarise the many reasons for refusing the original application. Given the unauthorised changes already reported and the need to protect the AONB, the change of use should not be approved.

Wadleys Farm
Ham Lane
Charlton Kings
GL52 6NJ

Comments: 2nd October 2013
Letter attached.

Comments: 3rd January 2014
Letter attached.

Wadleys Farm
Ham Lane
Charlton Kings
Cheltenham
GL52 6NJ

Comments: 2nd October 2013
Letter attached.

Comments: 2nd January 2014
Letter attached.

2 Nursery Cottages
Ham Lane
Charlton Kings
Cheltenham
GL52 6NJ

Comments: 2nd October 2013
Letter attached.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 7th October 2013
Letter attached.

Comments: 2nd January 2014
Letter attached.

Ham Hill South
Ham Road
Cheltenham
GL54 4EZ

Comments: 26th September 2013
Letter attached.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 7th October 2013

Letter attached.

Comments: 30th December 2013

I am sending this letter in response to the revised plans advised in Tracey Crews' letter of 19th December 2013.

There is a long history of attempts to change the use of this site away from agricultural use, most recently after Mr and Mrs Cox started residing at the site. Following an Appeal which was decided in 2011, they were given temporary permission to continue residence at the site until September 2014, as set out in APP/B1605/C/11/2149107 and 2149171 dated 6 September 2011. In reaching his decision, the Planning Inspector concluded that: the change of use to a Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB. This is contrary to established local development plan policies and national planning policy advice and guidance and is sufficient reason not to grant a permanent permission. His reason for giving permission on a temporary basis was the lack of sites allocated for gypsies and travellers. Permission was given, therefore, until such times as less harmful, alternative sites may be identified and brought forward through the JCS process. The Inspector imposed a number of conditions to ameliorate the harm, many of which have yet to be undertaken or fulfilled.

I am writing to Object to this present application, for the following reasons:

1. The fundamental reasons against change to residential use remain as follows:
 - a. The site lies in the Cotswold AONB. The National Planning Policy Framework. Paragraph 115 states: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.' Although the site is screened from Mill Lane, it is highly visible from the public footpath from Hewletts Reservoir to Northfield farm, which I use on a frequent basis.
 - b. Although the location is near to Cheltenham, it is outside the principal urban area of the town and away from any area that has been either allocated or proposed for any urban extension.
 - c. The site is rural and isolated and not close to other dwellings.
 - d. There are several other areas of land in the AONB in the vicinity which are used for grazing horses and which have associated stabling similar to that at the present site. Should permission be given for permanent change of use in the present case, a precedent would have been set, making it difficult to resist proposals for change of use at any of these other sites, causing yet further damage to the AONB.
2. The reasons why the temporary change of use should not be made permanent are:
 - a. The underlying reasons at 1. above have not changed. The damage to the AONB is evident from an inspection of the site and would be made worse by the erection of a permanent building. These more than outweigh any 'improvements' made by the residents.

- b. A principal reason for the Planning Inspector giving temporary permission was that he expected permanent sites for gypsies and travellers to be allocated under the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury. The JCS team are currently undertaking a consultation process to determine the availability of gypsy and traveller sites in area. Until this has been undertaken and an allocation made it would be premature and prejudicial to make the present site a permanent one.
- c. The circumstances under which the existing temporary permission was given have changed. In particular, Mr Cox is no longer in residence and the site is no longer being used for the keeping and breeding of horses. For at least the past 18 months, there have been no horses on the site, which is now mainly used for grazing sheep (not an established gypsy lifestyle).
- d. A precedent would have been set, encouraging further gypsy and traveller settlements in the AONB. There is currently a similar case in progress at Coberley in Cotswold District.

I therefore urge the Planning Authority to refuse this application. Please advise me of the outcome.

2 Ham Close
Cheltenham
Glos
GL52 6NP

Comments: 4th October 2013
Letter attached.

63 Kempton Grove
Cheltenham
Gloucestershire
GL51 0JU

Comments: 10th October 2013
Letter attached.

Glenfall Lodge
Mill Lane
Charlton Kings
Cheltenham
Gloucestershire
GL54 4EP

Comments: 30th September 2013

Dear Sirs, I have written in to you my view points regarding this planning application. I have just been informed that my letter has not arrived. I therefore would like to pass comments through this e-mail. I have no objections to this application. Since Mrs Cox moved to the site, she has improved every aspect of this field. The entrance, fencing and the overall appearance of this field has vastly improved since her arrival. She is also a good neighbour. Prior to her arrival the area was untidy and unsightly. From an AONB perspective I feel this area is now much improved.

Ham Stud
Ham Road
Charlton Kings Cheltenham
Gloucestershire
GL52 6ND

Comments: 3rd October 2013

I object to the application to make this a permanent site for travellers for the following reasons:

Since temporary planning permission for 3 years was granted, for the applicants' personal use only, some of the conditions of this planning have not been adhered to.

- a. There have not been any horses on the site for the past eighteen months. The application was originally granted so that someone was on site to look after the stock.
- b. A further static caravan was moved onto the site without permission, although this has now been removed.
- c. Domestic waste from an inefficient septic tank is still being discharged onto the highway.
- d. I am also lead to believe that criminal activities have been carried out from this site (as stated in the local press)

My other serious concern is the change of use from a temporary Traveller site to a permanent Traveller site in an Area of Outstanding Natural Beauty. This could have the potential for extension in the future, especially if the conditions of the applicants' personal use, and other conditions imposed by the Planning Inspector, were not adhered to.

Therefore, due to the blatant disregard of the planning conditions, the temporary permission should now be suspended and the site returned to its original condition, including the pond, land drainage ditches etc, which have been filled in without any consultation.

Comments: 2nd January 2014

Letter attached.

The Willows
Ham Square
Cheltenham
Gloucestershire
GL52 6NF

Comments: 7th October 2013

This is inappropriate development in the AONB and should not be allowed permanently. Note the application no longer refers to the Cox family which means the need to be on site for the horses(which are no longer there) is no longer a valid argument for the permanent or temporary need for caravans in the AONB. The temporary application still has another year to run, this application is premature perhaps because another more suitable site less harmful to the AONB may be found by Sept 2014. If this allowed the number of caravans should be restricted to one.

Comments: 2nd January 2014

Please refer to our previous comments in October, we object to the application as it is detrimental to the visual impact of the AONB & should not be allowed to become permanent. If any permission has to be granted it should be temporary only, & for less caravans. It is concerning that unauthorised work has already been carried out with disregard for the conditions, this should mean that the proposed original dayroom now should not be built. The application does not seem

to be specific to the Coxes any more. Please refuse this application & maintain our precious AONB.

25 Home Farm Court
Greenway Lane
Charlton Kings
GL52 6LA

Comments: 7th October 2013
Letter attached.

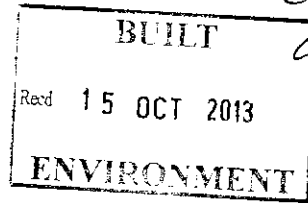
Comments: 27th December 2013
Letter attached.

21 Thames Road
Whaddon
Cheltenham
GL52 5PU

Comments: 7th October 2013
Letter attached.

THE PLANNING OFFICER
CHILTERNHAM BOROUGH COUNCIL
MUNICIPAL OFFICES
PROMENADE.
CHILTERNHAM.
GLS. GL50 9SA.

24 HOME FARM COURT
GREENWAY LANE
CHARLTON KINGS
GLS. GL52 6LA.



12-10-13.

DEAR SIR/MADAM,

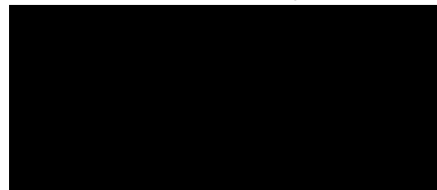
RE PERMINENT PERMISSION TO ALLOW PRESENT
OCCUPIERS TO STAY ON LAND IN FIELD AT
MILL LANE. CHARLTON KINGS.

I DO FEEL THAT TO APPROVE CASTLE DREAM STUD,
CHARLTON KINGS TO STAY ON THAT SITE ON A PERMANENT BASIS
WILL OPEN GATES FOR MORE BUILDING ON THE AREA (40NB).

ALSO WHY SHOULD PEOPLE WHO HAVE BEEN LIVING
THERE FOR THREE YEARS WITHOUT PLANNING PERMISSION BE ALLOWED
TO RIDE ROUGH SHOD OVER THE SYSTEM?

I TRUST YOU WILL GIVE THIS CAREFUL CONSIDERATION.

YOURS FAITHFULLY



Recd 23 DEC 2013

TERESA CRENS
CHIEF, BOROUGH COUNCIL.
HEAD OF PLANNING.

24 HOME FARM COURT
CHERTON KINGS
GL55 9LS2 GLA.

RE 13/01459/COU

21.12.13

DEAR MADAM.

I AM IN RECEIPT OF YOUR LETTER 19.12.13.
RE CHANGE OF USE OF LAND AT CASTLE DREAM STUD. MILLBANE.

I WISH TO REITERATE MY OBJECTIONS ON THIS
MATTER AS PER MY PREVIOUS LETTER.

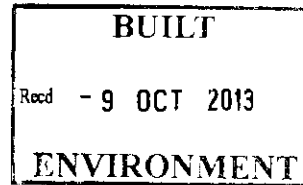
YOURS FAITHFULLY



[Handwritten flourish]

Mrs. Wendy Hopkins,
Snr. Planning Officer Built Environment,
Cheltenham Borough Council Municipal Office,
Promenade,
Cheltenham,
GL50 1PP

1, The Orchards,
Glenfall Way,
Cheltenham,
GL52 6BJ



5 October 2013

Dear Mrs. Hopkins,

Castle Dream Stud: Planning Ref. 13/01459/COU

I am writing in connection with the subject application.

I believe that there are several reasons why I the application should be rejected:

- 1 There is a clear risk that the site would not be returned to the original state, essentially defined when the original, temporary approval was given. So far the Council has steadfastly defended the AONB, for good reason. It would be perverse to abandon the protection now.
- 2 The Appeal Inspector made his decision after considering the original application carefully, and balancing it against environmental concerns. Nothing has changed to invalidate that decision.
- 3 As I recall, the original approval was specific to [REDACTED] to address their needs, and indeed the wording required restoration of the site if the land ceased to be occupied by them. Why should it now become a generalised application? Is the same family in residence?
- 4 It is surely wrong to talk about retention of a dayroom which hasn't been constructed. In any event it would be premature to proceed with construction while there is doubt about permanent buildings being allowed.
- 5 The existing approval runs until September 2014. There is no need to grant approval now, since other, more favourable sites might be defined in the remaining 11 months.

In summary, I believe that the application should be dismissed: the temporary permission is still valid.

Yours sincerely

[REDACTED]

BUILT
Recd - 3 OCT 2013
ENVIRONMENT

Stonecrop
Ham Road
Charlton Kings
Cheltenham

Mrs W. Hopkins
Senior Planning Officer
Cheltenham

30.9.13
Ref: 13/01459/cou.

Dear Mrs Hopkins,

I am writing in protest about the application for the site in Mill Lane Charlton Kings to become a permanent place for residential living for gypsies (or anyone).

The Inspector granted temporary permission until September 2014. I am sure you know what was in his report ^{regarding} the A.O.N.B.

Please do not let this beautiful place be encroached on by what amounts to urbanisation

Yours sincerely

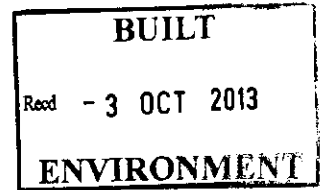




8 Ham Close
Cheltenham
Glos. GL52 6NP

30 September 2013

Mrs Wendy Hopkins
Senior Planning Officer
Built Environment
Cheltenham Borough Council
PO. Box 10, Municipal Offices
The Promenade
Cheltenham GL50 1PP

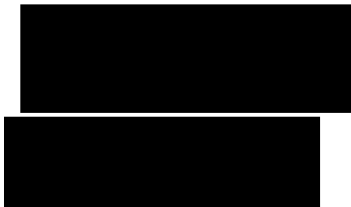


Your ref:- 13/01459/COU

Dear Mrs Hopkins,

We are writing to object to the proposed application in Mill Lane, Charlton Kings, to make the site permanent. The application is very different from the temporary permission already granted. We also believe that the location is in an Area of Outstanding Natural Beauty and feel strongly that it should be protected against any long term encroachment.

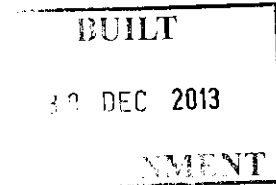
Yours sincerely,



8 Ham Close
Cheltenham
Glos. GL52 6NP

23 December 2013

Ms Tracey Crews, Head of Planning
Built Environment
Cheltenham Borough Council
PO. Box 10, Municipal Offices
The Promenade
Cheltenham GL50 1PP



Your ref:- 13/01459/COU

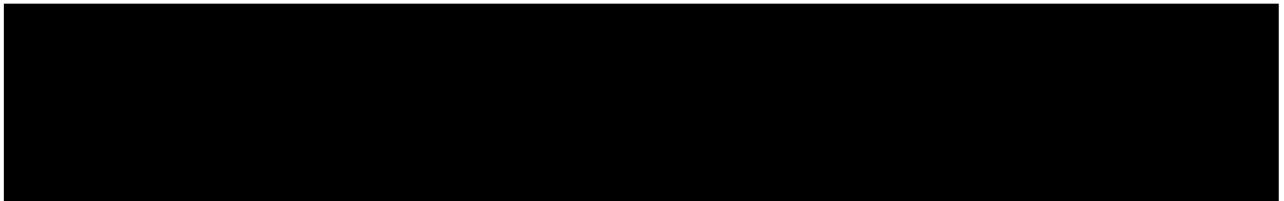
Dear Ms Crews,

Thank you for your letter of the 10th December. We find it best to repeat what was said in our letter of the 30th September, 2013

We object to the proposed application in Mill Lane, Charlton Kings, to make the site permanent. This application is very different from the temporary permission already granted.

The location is in an Area of Outstanding Natural Beauty and feel strongly that it should be protected against any long term encroachment.

Yours sincerely,



Court Lodge
Ham Road
Charlton Kings
Cheltenham
Glos GL52 6ND
3 October 2013

Mrs Wendy Hopkins
Senior Planning Officer Built Environment
Cheltenham Borough Council Municipal Office
Promenade
Cheltenham
Glos GL 50 1PP

Dear Mrs Hopkins

Castle Dream Stud Mill Lane Charlton Kings: Change of use of the land for permanent residential occupation **Planning Ref 13/01459/COU**

I object to the above application on the following grounds.

1 Disregard of Appeal Inspector's conclusions: decision dated 6 September 2011

The current application calls into question the Appeal Inspector's expert balanced judgment on fair treatment of the gypsies and of the Borough's environmental concerns. After all the work and time involved I object to the fact that his decision may be about to be ignored – surely a serious matter - and would draw his arguments back to your attention.

2 Change of use is premature

I believe that the current application is premature.

Mrs Cox has temporary permission until September 2014 and so is secure until then.

The Inspector in his paragraph 37 considered this to be '*appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process*'.

This process is ongoing at this very moment but has not yet gone out either to informal or to formal consultation.

3 Adverse effects on AONB

I object to a permanent permission being granted now, as Cheltenham will lose any chance that the site may be returned to its original state at the end of the three year period as conditioned by the Inspector (his Conditions 2 & 3).

It also seems incomprehensible to me for the Borough to throw in the sponge at this late stage after all its efforts to give the '*great weight to conserving landscape and scenic beauty in . . . Areas of Outstanding Natural Beauty, which have the highest status of protection . . .*' (NPPF Paragraph 115.)

You will recall that the Borough Council over the years and at considerable cost has consistently defended the field in question against planning applications likely to harm the natural beauty of this part of the Borough's green setting, even going to Appeal twice.

At the first Appeal a member of the settled community with apparently with no special Human Rights was refused permission on AONB grounds for a similar development on the land.

At the second, though granting a temporary retrospective permission to Mr and Mrs Cox as travellers with special Human Rights, our Inspector recognised the adverse effects of the gypsy site upon the AONB in his Overall Conclusion:

Paragraph 35: . . . 'I have also found that the change of use to Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB'.

This harm is denied by the Applicant's agent, but it seems to me that caravans, large areas of sterile hardstanding, garden fencing and suburban entrance features are not an adequate replacement for the pond, willow trees and green grass that pre-existed the encampment.

4 Proposed adverse changes to Inspector's conditions

As mentioned, to limit the harm, conditions were placed on the temporary permission. I object to the fact that the current application would appear to do away with the following.

- a) The current application wording is for permanent residential occupation by a (therefore non-specific) traveller family.

The temporary permission given by the Inspector was a **PERSONAL** permission to Mr & Mrs Cox and 'any resident dependants' – then, two teenage sons. (Inspector's Condition 2). At the time of the Appeal their need to look after their horses on their land played a large part in influencing the decision – though the 24/7 horse care seems to have come to an end some 18 months ago with the departure of the horses.

A traveller family leaves interpretation wide open for it to apply to any old family who would not necessarily have the urgent valid reason for living here as the Coxes did initially. I object that it also supersedes the Inspector's Condition 3:

'When the land ceases to be occupied by those named in condition 2 the use permitted shall hereby cease . . . and the land shall be restored to its condition before the development took place.'

- b) The current application drawing shows three caravans (unspecified but drawn all the same size).

The Inspector's Condition 4 states that only two caravans, one static caravan and one touring, '*shall be stationed on the site at any one time*' – this to reduce the adverse visual impact and considered adequate to house the dependent family. (I note that, according to the Office for National Statistics, 'dependent family' means children under 16, or those 16-18 in full-time education. A 'child' with a partner and/or offspring is not a dependant.)

5 Objection to a permanent day room at this stage

The current application mentions 'retention' of the dayroom. I do not believe that it has been constructed yet. There is a claim that the Borough has approved the design and materials - again I do not believe this to be the case, though, in approving the application as a whole, the very permanent almost bungalow-sized render-and-tile structure shown in the drawing will presumably also be permitted. (8.3m x 6.6m x 4m high.) I object to this permanent feature being allowed while there is any question about the site's permanence.

The Inspector, while suggesting a timber construction to match the stables, recognised the problem and stated that
'the proposal would add to the overall quantum of development on site. It would also formalise its use for residential purposes and result in the introduction of domestic paraphernalia . . . '

Conclusion

I do hope that the Borough will dismiss the application, honour the Inspector's decision (and conditions) and reaffirm the temporary permission until September 2014. *

Yours sincerely

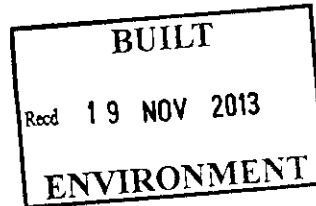


*I should be anxious in the extreme if I thought that permanent permission might be given just to boost the JCS supply of sites: I hope that you can confirm that this is not the case.

Court Lodge
Ham Road
Charlton Kings
Cheltenham
GL52 6ND

18 November 2013

FAO Mrs Wendy Hopkins
Senior Planning Officer
Built Environment
Cheltenham Borough Council



Dear Mrs Hopkins

Castle Dream Stud, Mill Lane Charlton Kings **Application Ref. 13/01459/FUL**

I enclose for your information relevant pages from the current Gloucester, Cheltenham and Tewkesbury Draft Core Strategy now out at consultation.

Policy C4 deals with Gypsy and Traveller Accommodation.

Please note in particular bullet point 2 of the Policy's criteria for locating sites:

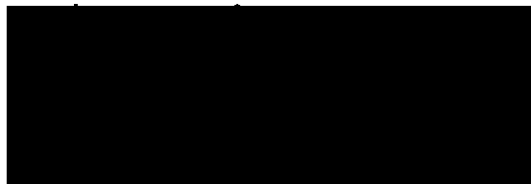
"The development is not within an area of sensitive landscape and in all other locations it will not have an unacceptable impact on the character and appearance of the landscape"

It would suggest to me that, if the Policy were to be adhered to, Castle Dream Stud in its AONB situation would not be acceptable – certainly not as a permanent site.

I hear from your colleagues in Planning Reception that you are currently 'negotiating with the applicant'. I hope to call you during the week and hope you will tell me if there are any changes to the application contents which would make a difference to the way it could be viewed.

I also understand that the application will be considered by the Borough Planning Committee in December.

Yours sincerely



Cc Andrew North Chief Executive

Gloucester, Cheltenham & Tewkesbury Draft Joint Core Strategy

Policy C4 - Gypsy and Traveller Accommodation

The potential for provision of new Gypsy, Traveller and Travelling Showpeople sites should be considered through urban extensions and strategic allocations.

All proposals for new Gypsy, Traveller and Travelling Showpeople sites will be assessed against the following criteria;

- There is a proven need for the development and the capacity of the site can be justified for further Gypsy, Traveller and Travelling Showpeople sites, or extensions to existing sites.
- The development is not within an area of sensitive landscape and in all other location it will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.
- The site has safe and satisfactory vehicular and pedestrian access to the surrounding principal highway network.
- No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where other forms of housing would not be suitable.
- The site is situated in a suitable location in terms of access to local amenities, services and facilities, including schools, shops, health services, libraries and other community facilities.
- The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site should also be large enough to enable vehicle movements, parking and servicing to take place, having regard to the number of pitches/yards on site, as well as enabling access for service and emergency vehicles, including circulation space along with residential amenity and play areas.

The policy contributes towards achieving Objectives 8 and 9.

Justification

- 4.131 The recently completed Gloucestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTTSAA) sets out the need for new pitches/plots resulting from existing traveller communities in Gloucestershire between 2013 and 2031. Within the JCS area the assessment sets out the requirement for provision of 152 permanent pitches for Gypsies and Travellers. Of these, 147 pitches relate to communities that currently reside in Tewkesbury Borough. The assessment further sets out a requirement for 36 permanent plots for Travelling Showpeople, relating to communities that currently reside in Gloucester City and Tewkesbury Borough.
- 4.132 The report also sets out that if transit pitches are considered necessary, around 10 should be provided within Gloucestershire, but in a location within the JCS area given the concentration of existing encampments and proximity to main road networks such as the M5 and A40.

Gloucester, Cheltenham & Tewkesbury Draft Joint Core Strategy

- 4.133 The nature of existing provision in Gloucestershire means that a very significant proportion of these needs arise in Tewkesbury Borough. However, 'Planning policy for traveller sites', further discussed in the GTTSAA sets out that where there are special or strict planning constraints across an area, local planning authorities should consider working together through the 'duty-to-cooperate' to provide for traveller needs, in order to provide more flexibility in the identification of sites, including the preparation of joint development plans. In this regard, efforts will be made to constructively engage with other Gloucestershire authorities to address this issue.
- 4.134 Further to this, the assessment confirms issues with the ability to bring forward sites for traveller communities in urban areas for reasons such as limited land availability and site viability. Depending on the availability of deliverable sites in Gloucester and Cheltenham, it may also be necessary for these authorities to work with other Gloucestershire authorities to address needs arising from their communities.
- 4.135 In terms of the JCS, a majority of development will be coming forward through the strategic allocations and urban extensions. It may be possible for sites for traveller communities to be provided as part of well masterplanned through these developments and the potential for such provision will be fully considered through the planning process. Further non-strategic site allocations will be made by each of the JCS authorities in district plans, in the context of locally set targets.
- 4.136 'Planning policy for traveller sites' requires that local planning authorities provide a criteria based policy in Local Plans. Where need is identified, this policy will form the criteria against which potential site allocations will be assessed. It will also form the policy against which other speculative applications that may come forward should be assessed.

Table C4

Local Authority	2013 - 2017		2018 - 2022		2023 - 2027		2028 - 2031	
	Public	Private	Public	Private	Public	Private	Public	Private
Cheltenham	0	2	0	0	0	0	0	1
Gloucester	0	1	0	0	0	0	0	1
Tewkesbury	20	44	12	15	13	16	12	15
TOTAL	20	47	12	15	13	16	12	17

POLICY C 5 - COMMUNITY FACILITIES

Background

- 4.137 Everyone living in the districts of Gloucester, Cheltenham and Tewkesbury deserves to have access to facilities that meet their everyday needs. Essential community facilities include schools, health services, community centres,

3, Natton Cottages,
Ham Lane,
Charlton Kings,
Cheltenham.
Gloucestershire.
GL52 6NJ

8th October 2013

Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
The Promenade,
Cheltenham,
GL50 1PP

Attn:- **Mrs. W. Hopkins**

Dear Mrs. Hopkins,

Re:- Development Proposal:- 13/01459/COU – Mill Lane – Change of Use. - Objection

I refer to the above Planning Application which is totally unsuitable for the site and the AONB area.

The history of the site is well documented as is the refusals and temporary allowance for caravans. The fact that enforcement was carried out on the previous owners to remove a bungalow from the site would make the whole planning process a farce if this application were allowed.

It is about time for the sake of the AONB and for the reputation of both the council and the planning department, both of whom are guardians of the area, to enforce their previous decisions for clearing the site and return it to its original use of grazing and stables for horses. It would also be discourteous to all residents in the AONB who have gone through the planning process properly and for better or worse have accepted planning decisions, particularly when these decisions have gone against applications citing the AONB criteria as reason for refusal.

If enforcement is not carried out and refusal to this application is not made, then it will clearly send the wrong signal to all those that want to develop the AONB that anything goes.

The fields around the hard standing area have been tidied up and brought back into use. However, the hard standing when first put in was too large just for the use to which it is put to today. Some recent work done on the site seemed to further reinforce the hard standing and then the current application appears. The latest application supports the view that the original intention was and is to force a decision for permanency. If permission were given then other families could move onto the area and force the same *fait accompli* as originally happened in this case.

The current temporary planning is for the particular NAMED family with the new application for A family which seems a further attempt to make the site a transient one and not a permanent fixed residence.

In conclusion, both the Council and the Planning Authorities must refuse the current application and enforce the previous decisions made for this site.

Yours sincerely,



3, Natton Cottages,
Ham Lane,
Charlton Kings,
Cheltenham.
Gloucestershire.
GL52 6NJ

3rd January 2014

Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
The Promenade,
Cheltenham,
GL50 1PP

Attn:- **Mrs. W. Hopkins**

Dear Mrs. Hopkins,

Re:- Development Proposal:- 13/01459/COU – Mill Lane – Change of Use. - Objection

I refer to the above Planning Application which I understand has been subject to change.

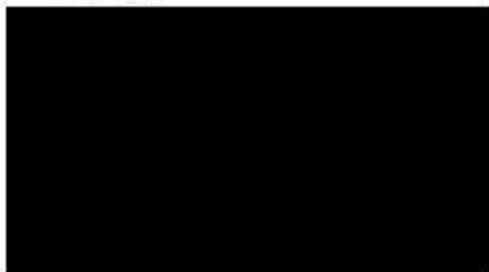
I confirm that my previous letter of objection on 8th October 2013 still stands.

I make the following additional observations:-

- 1) The objection to this application is all about the need to preserve and control development within the ANOB. It is clear that this particular application is not suitable for the area and in fact has become more of an application for general development rather than specific confined to one family.
- 2) The timing for submitting paperwork comments is once again far too short given the time of year and must be extended to allow all comments to be available.
- 3) It has been suggested that if previous comments have been made that unless the same people do not write in on this further amendment that previous documents are ignored. I trust this will not be the case and that all previous comments are taken into consideration.

In conclusion, both the Council and the Planning Authorities must refuse this application in total and enforce the previous decisions made for this site.

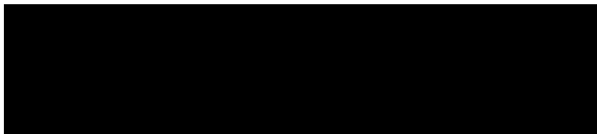
Yours sincerely,



Cheltenham Borough Council
Planning Dept.
Municipal Offices
Cheltenham
3.10.2013

Mrs Leata Cox has been a good friend for some time during the years I lived in Ryeworth Road and she is now trying to get permission to move into the area. As a resident of the area, I would have no objection to her proposal as she is well liked in Charlton Kings and would be welcome.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.A black rectangular redaction box covering the first line of the sender's address.

69 Ryeworth Road
Charlton Kings
Cheltenham

Piccadilly Farm
Aggs Hill
Chetenham
Glos
GL54 4ET

Dear Sir/Madam

I am writing this letter in support of Mrs Leata Cox's application to obtain permission to live on the "Castle Dream Stud" site in Mill lane, Cheltenham.

She has been in ownership of this site for a number of years and has transformed a previously poorly maintained and managed stable yard and paddocks almost beyond recognition. This has taken sheer hard work and determination and the site is a credit to her.

I am fully aware of the concerns of a number of local residents of allowing someone with Romany status to have residential rights on this site and fears that it would turn into a full blown traveller's site have proved unfounded.

Over the past few years Mrs Cox has proved to be a kind and thoughtful neighbour and therefor as a near-by land owner and local resident I have no issues with Mr Cox herself being granted permission to live there.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

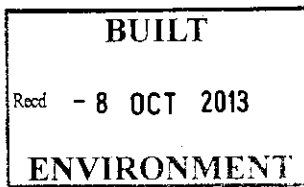
*Cheltenham Borough Council
Planning Dept.
Municipal Offices
Cheltenham
1/10/13*

Planning Officer

Mrs Leata Cox is known to me socially from various venues in Charlton Kings and has given me an impression of her interest in all things local and she is respected in this area . I have no objection to her application to become a resident in Charlton Kings.



*67B Ryeworth Road
Charlton Kings
Cheltenham*



20 Ham Close
Cheltenham
GL52 6NP
07 10 13

Dear Mrs Hopkins

Re Gypsy App. Ref. 13/01459/004

further to the above site being made permanent. It would appear to have been obtained in a questionable way. The original owner not being allowed to develop the site.
A lot of work has been done on the site, with the added traffic, for what does seem to be quite a busy road with ^{many} residents at Glenfall House - I assume still in the various 'flats' also going up & down lane.

I do believe that observing the water that comes off that

hill & the current 'open pipes' at side of premises/area carry much water & when raining the road usually is awash in a few places & thus drains into the farmer's field - where there are sheep - quite often.

I have no objection to ^(ONE) a house being properly built with efficient proper drainage, but, with large nos. of people - which would mean many cars - which would mean many cars/again, as before - this could cause a big problem.

Yours sincerely,



Cheltenham Borough Council
Planning Dept.
Municipal Offices
Cheltenham
30th September 2013

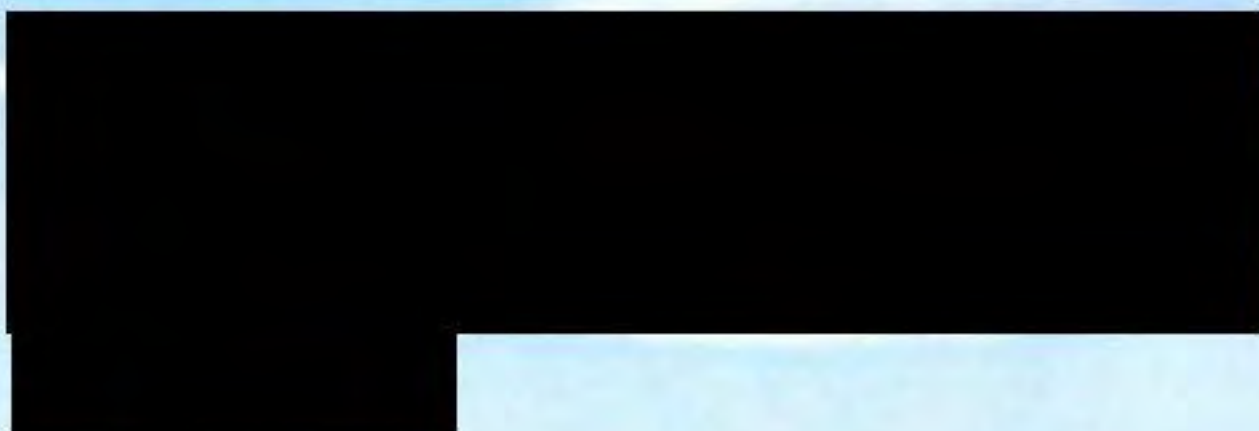
Dear Sir or Madam

Re: Planning Application by Mrs Leata Cox

I have known Mrs Leata Cox for a number of years as a customer of mine at The Ryeworth Inn and always found her to be a very genuine and respected person in Charlton Kings. She has an interest in local matters and is certainly an asset to the area. I would have no objection to her proposed Planning Application with a view to her becoming a resident in Charlton Kings.

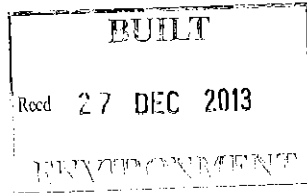
Regards,

9





Stonor House
23, Ham Close
Charlton Kings
Cheltenham
GL52 6NP



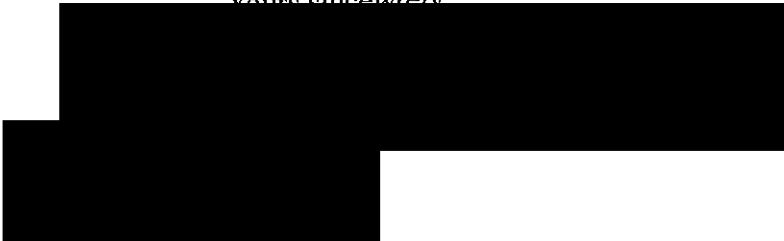
December 23, 2013

Dear Mss Crews,

Furthert to your letter of the 19th Dec I object to the following
1/Only allow for the lavatory if Mrs Cox gives up the dayroom,
2/The inspectors original conditions should be adhered too.
3/No third caravan should be allowed

Permission should never have been allowed in the first instant. To
now even to suggest further extension after the inspectors report makes the
“planning dept” look even more inept

Yours sincerely



Tracey Crews
Head of PIAN NING

Ref: 13/01459/COU

Date of Respon		- 2 OCT 2013	
Date of Respon			
Initial Respon			

Wadley's Farm,
Ham Lane,
Chaulton Kings.
GL52 6NT
30th Sept. 13.

Dear Madam,

I hope you will reject
Ms Cox's application to make her temporary
permission into a permanent one.

I was present at the Enquiry
when the temporary siting of a mobile home
and touring caravan were given permission.
Mr. or Mrs. Cox's representative was in full
agreement with all the conditions
negotiated by her and the Borough Council,
many of which have not been adhered to.

The permission was granted
until September 2014 and I see no reason
why this should be preempted with the
'permanent' application before that time.

The Joint Core Strategy is
at present trying to find potential gypsy
sites and may come up with one (or more)
by 2014. This would negate the reason

for this site in Mill Lane becoming permanent, positioned as it is in the Cotswolds AONB, which is totally protected from development in this area, at the present time.

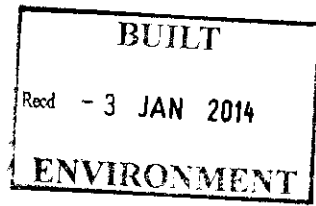
It would seem appropriate that if no gypsy site is forthcoming from the JCS, Mr. & Mrs. Cox should be allowed a second term of 3 years, but as the named occupants only, as in the original permission and not using the site for 'A Gypsy Family' with the prospect of 3 mobile homes as shown on the site plan.

There has been a precedent for this in past years when a local farmer wanted to put a mobile home on the farm for his worker. Temporary permission was granted for 3 years & had to be re-applied for every 3 years subsequently.

I hope you will refuse to grant permanent permission for the site here within the AONB, where it would be totally detrimental to the local environment.

Yours faithfully,

Ref. 13/01459/cou



Wadleys Farm,
Ham Lane,
Charlton Kings
Cheltenham.
GL52 6NJ
1st Jan. 14.

Dear Madam,

I have previously written at great length about The Planning Application to make 'Castle Dream Stud' Mill Lane, into a permanent site for a traveller family, and the comments I made then are relevant here too, and I hope you will consider them.

This latest application for retention of day room, hardstanding, access etc. etc. are all changes to the site which have been done prior to planning permission being applied for although the applicant is seeking to regularise this, no where does the word RETROSPECTIVE appear on the application which I believe it should. Similarly a 2nd mobile home appeared on site on 2nd July 2011, again without a prior application for planning permission being sought. If this site were to become permanent, how many more alterations would take place first before permission is applied for?

I assume the extension to a stable block to include a toilet and sink is the "day room" referred to, on the latest application and must be the one the Inspector permitted at the

Enquiry in 2011, so no further structure should be required.

The Inspector made it abundantly clear the site was to be used solely by Mr. & Mrs. Cox and their dependents. Although their circumstances have sadly changed, I think Mrs. Cox has the right to occupy the site on a Temporary basis (there being no dependents) and NOT the nebulous TRAVELLER FAMILY on a permanent basis as mentioned in the application.

I have no objection to a TEMPORARY permission being granted for another 3 years to Mrs. Cox, with the same conditions applicable as the Inspector and Mrs. Cox's Representative agreed to at the Enquiry in 2011 - i.e. one mobile home and one touring caravan on a temporary basis only, and not the Three Mobile Homes shown on the original map.

This Temporary permission for a further 3 years would give Mrs. Cox a settled home until the 'Traveller and Gypsy Site' part of the J.C.S. is clarified, especially with regard to the AONB.

Yours faithfully,



WADLEYS FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM,
GL52 6NJ
30-9-13.

Cheltenham Borough Council Environment Group			
RECEIVED TO			
REC'D	- 2 OCT 2013		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

13/01459/COU

Dear Mrs Hopkins,

With regard to the above application, if Cheltenham Borough Council pay any regard whatsoever to the decision of a Planning Inspector at an appeal funded by local taxpayers, then the decision in the present application must be to refuse it.

The stables are to be occupied by the owners, Mr & Mrs Cox, only, on a 3-year temporary basis, to be re-applied for in September 2014.

This application turns the decision of the Planning Inspector on its head by removing the temporary basis and changing the named occupants, Mr & Mrs Cox, for an anonymous gypsy family.

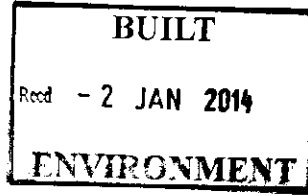
The original terms of the Inspector must be adhered to, and the application must be refused.

Yours sincerely,

Garry Humphris

C. G. HUMPHRIS

WADLEYS FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM,
GL52 6NJ.
30-12-13.



13/0459/COU.

Dear Mr Clowes,

I write again with reference to the above application for change of use of Castle Stream Stud.

Many local residents are concerned by the wording of this application, as it states 'occupation by a Traveller family' and not by the applicant. This is the crux of the matter, because if permanent permission is granted, the site could be sold to any traveller family with totally unknown results.

The temporary permission granted to Mrs Cox expires in Sept. 2014, and it would seem expedient because of the moves within the JCS to continue this permission as to enable them to rethink the situation when the time comes. To grant a permanent permission at this stage seems to be losing whatever control CRC has over the site at present.

The application also calls to legitimise retrospectively several changes which have occurred to the site, namely large access, removal of pond, replaced by hardcore, stable extension including toilet facilities, trailer caravan which came and went, and on the drawing are shown 3 large caravans which is totally contrary to the Planning Department's stipulation of one permanent caravan and 1 touring caravan.

I would think that a fair conclusion to all these activities would be to say that CRC accepts all these unauthorised 'improvements' on condition that the idea of a 'day room' is dropped, particularly as toilet facilities have already been installed.

I would urge you to reject this application and maintain the status quo until such time as the situation regarding traveller sites and the JCS. has been clarified.

yours sincerely,



Cheltenham Borough Council Environment Group			
FORWARDED TO			
REC'D	- 2 OCT 2013		
Date of Response		Type of Response	
Initials of Responder		File Ref.	



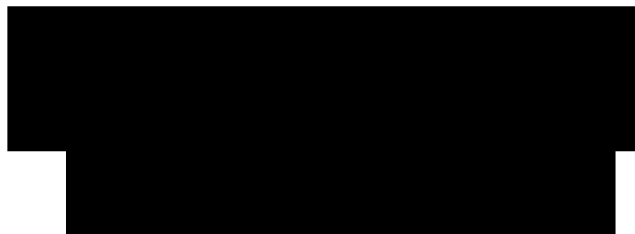
2 Nursery Cottages,
Ham Lane,
Charlton Kings,
Cheltenham,
GL52 6NJ.

Dear Mrs Hopkins,

We feel compelled to write to oppose the application to make Castle Dream Shd, Mill Lane, Charlton Kings, a permanent residential site for travellers. We are aware of the current situation and the fact that the occupants have changed and we are extremely concerned that should the site become a permanent one it ~~will~~ ^{could} be sold and passed on to ^{other} traveller families who may not be as considerate. At least if it stays temporary, then if there are problems in the future something can be done about it.

Please add our names to the list of Ham residents completely opposed to such a site becoming a permanent traveller site.

Yours sincerely



**Hamfield House
Ham Road
Charlton Kings
Cheltenham, GL52 6NG**



7 October 2013

Mrs Wendy Hopkins,
Senior Planning Officer, Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 1PP

Dear Mrs Hopkins,

Planning Application 13/01459/COU. Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses, Castle Dream Stud Mill Lane Charlton Kings Cheltenham Gloucestershire GL54 4EP

When permission was given for a temporary change of this site to residential use by a traveller family, it was recognised that this would damage the Cotswold AONB. It was only permitted on a temporary basis because Cheltenham Borough Council was unable to demonstrate that it could identify alternative suitable sites for gypsies and travellers.


At the Appeal two years ago, the Inspector acknowledged that there would be harm to the AONB. He therefore imposed conditions when giving temporary permission that would reduce this harm. If the site were made permanent, with the introduction on permanent facilities, the damage to the AONB would increase. Notwithstanding the claims made by the applicant, the way the site has been changed as a result of temporary residence has already cause considerable damage through the introduction of suburban features like hardstanding, mobile homes and out-of-place shrubs, fencing and other features.

I understand that an exercise is currently under way as part of the Joint Core Strategy to identify sites to be allocated for gypsies and travellers in the JCS area. Since the reason temporary permission was given was due to the lack of suitable allocated sites, it would be premature and illogical to make residency on this site permanent at least before this work has been completed. Should adequate provision of alternative permanent sites be made under the JCS, the presumption must be that the present site would revert to agricultural use.

In other contexts, planning applications for new residential development in the AONB on the edge of Cheltenham have consistently been refused and any resultant appeals have been dismissed. To allow permanent change of use in this case would create a most worrying precedent, as there are other sites in the neighbourhood where horses are kept which might then be successful in applying for residential occupation.

I therefore urge the Borough Council to refuse the current application.

Yours sincerely



Hamfield House
Ham Road
Charlton Kings
Cheltenham,
GL52 6NG



1 January 2014

Mrs Wendy Hopkins,
Planning Officer, Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 9SA.

Dear Mrs Hopkins,

Planning Application 10/01839/COU

Change of use from agricultural to residential occupation by a gypsy family with the stationing of two caravans and erection of an ancillary "day room" building and construction of new access, hardstanding and associated landscaping. Retention of stable building for the purpose of keeping horses at Stables at Mill Lane Charlton Kings

This letter is sent in response to Tracy Crews' letter of 19th December 2013 which notified me of the revised plans for this application.


This application seeks to change what is currently a greenfield site within the Cotswold AONB into a residential dwelling. Such a development within the AONB would be against both national and local planning policy since it would damage the natural beauty of the locality which the AONB status is there to protect. Moreover it would create a most worrying precedent, as there are other sites in the neighbourhood where horses are kept which might then be successful in applying for residential occupation.

As you will be aware, there have been previous attempts to change the usage of this land. Since the current stabling was built there was a period when people lived illegally on the site. This led to an application for the site to be used for the keeping horses for recreational purposes which was refused on appeal. The present application goes further in seeking to change the use to residential occupation.

Over many years, planning applications for new residential development in the AONB on the edge of Cheltenham have consistently been refused and any resultant appeals have been dismissed.

I therefore urge the Borough Council to refuse the current application.

Yours sincerely



Cheltenham Borough Council Environment Group			
PASSEL			
REC'D	25 SEP 2013		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

BUILT
Recd 26 SEP 2013
ENVIRONMENT

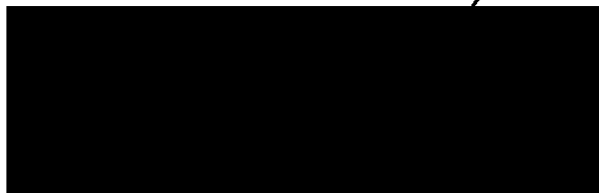
Ham Hill South
Ham Road
Cheltenham
GL544EZ
22.09.13

Dear Sir / Madam,

I write in support of the current planning proposal at Castle Dream, Mill Lane Cheltenham.

Since the occupants have lived here the grounds have improved considerably and are very well kept.

Yours Sincerely,



Hamfield House
Ham Road
Charlton Kings
Cheltenham, GL52 6NG

7 October 2013

App No: 13/01459/COU

Mrs Wendy Hopkins,
Senior Planning Officer, Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 1PP.

Dear Mrs Hopkins,

Planning Application 13/01459/COU

Proposal: Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses at Castle Dream Stud Mill Lane Charlton Kings Cheltenham Gloucestershire GL54 4EP

There is a long history of attempts to change the use of this site away from agricultural use. Most recently after, Mr and Mrs Cox started residing at the site. Following an Appeal which was decided in 2011, they were given temporary permission to continue residence at the site until September 2014, as set out in **APP/B1605/C/11/2149107 and 2149171** dated 6 September 2011.

In reaching his decision, the Planning Inspector concluded that: "the change of use to a Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB. This is contrary to established local development plan policies and national planning policy advice and guidance and is sufficient reason not to grant a permanent permission." His reason for giving permission on a temporary basis was the lack of sites allocated for gypsies and travelers. Permission was given, therefore, "until such times as less harmful, alternative sites may be identified and brought forward through the JCS process". The Inspector imposed a number of conditions to ameliorate the harm, many of which have yet to be undertaken or fulfilled.

I am writing to **Object** to this present application, for the following reasons:

1. The fundamental reasons against change to residential use remain as follows:
 - a. The site lies in the Cotswold AONB. The National Planning Policy Framework. Paragraph 115 states: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.' Although the site is screened from Mill Lane, it is highly visible from the public footpath from Hewletts Reservoir to Northfield farm, which I use on a frequent basis.
 - b. Although the location is near to Cheltenham, it is outside the principal urban area of the town and away from any area that has been either allocated or proposed for any urban extension.
 - c. The site is rural and isolated and not close to other dwellings.
 - d. There are several other areas of land in the AONB in the vicinity which are used for grazing horses and which have associated stabling similar to that

at the present site. Should permission be given for permanent change of use in the present case, a precedent would have been set, making it difficult to resist proposals for change of use at any of these other sites, causing yet further damage to the AONB.

2. The reasons why the temporary change of use should not be made permanent are:

- a. The underlying reasons at 1. above have not changed. The damage to the AONB is evident from an inspection of the site and would be made worse by the erection of a permanent building. These more than outway any 'improvements' made by the residents.
- b. A principal reason for the Planning Inspector giving temporary permission was that he expected permanent sites for gypsies and travellers to be allocated under the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury. The JCS team are currently undertaking a consultation process to determine the availability of gypsy and traveller sites in area. Until this has been undertaken and an allocation made it would be premature and prejudicial to make the present site a permanent one.
- c. The circumstances under which the existing temporary permission was given have changed. In particular, Mr Cox is no longer in residence and the site is no longer being used for the keeping and breeding of horses. For at least the past 18 months, there have been no horses on the site, which is now mainly used for grazing sheep (not an established gypsy lifestyle).
- d. A precedent would have been set, encouraging further gypsy and traveller settlements in the AONB. There is currently a similar case in progress at Coberley in Cotswold District.

I therefore urge the Planning Authority to refuse this application. Please advise me of the outcome.

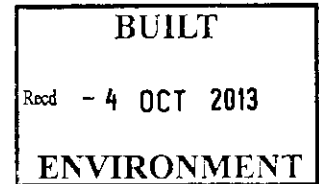
Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

2 Ham Close
Cheltenham
Glos
GL52 6NP
3/10/13

Mrs Wendy Hopkins
Senior Planning Officer
Cheltenham Borough Council
Municipal Office
Promenade
Cheltenham GL50 1PP

Application Ref 13/01459/COU
Application to make the Mill Lane Site Permanent



Dear Mrs Hopkins,

I was disappointed, but not surprised, to learn of the application that the Mill Lane development be made permanent.

The temporary permission granted in September 2011 for the continued use of this part of the ANOB for a further period of 3 years (till September 2014) was very generous.

Unfortunately, some applicants see any move in their direction, such a move made in an effort to be reasonable, as a sign of weakness. The phrase "thin end of the wedge" springs immediately to mind. While the vast majority of citizens are content to accept that it is by cooperation and fair dealing that we can coexist and not degenerate into anarchy, others see only their own "rights" (generally at the cost of others "rights").

Such applicants see any weakness as a signal that they can push even further and obtain more and more personal advantage. The granting of the initial temporary permission struck me as just such a "thin end of the wedge". It is completely clear that any further permission (either temporary or otherwise) will be met with greater future demands.

Please note the following:

The original permission was granted to Mrs Cox until September 2014 – not for some unspecified individual or family.

Any claimed improvement to the AONB is completely ruined by the addition of caravans, dayroom, and hardstanding, together with the loss of natural features.

This premature application should be rejected and this whole matter brought to a close once the temporary permission has lapsed.

Thank you.

Yours sincerely,



Charltonham Borough Council Environment Group		
YESSED TO		
REC'D	- 9 SEP 2013	
Date of Response	Type of Response	
Respond		

To Whom it Concerns.

This letter is in support of a planning application submitted by [redacted] of Castle Dream Stud dated 16/8/13.

I have been a Charlton Kings resident since 1970 so have known this parcel of land for many years. In the last two years it has been improved, the old neglected stable block has been transformed, everything is now well cared for, very tidy and looks fantastic.

The application to build a small bungalow near to the stable blocks would hardly be visible from the road and would have no negative impact on any person, building or land near by. All building materials required would be stored on private land so would not pose a danger to anyone. There are no pavements or grass verges to be damaged while turning or delivering these materials. With no immediate neighbours the inconvenience of building activity would not be a problem. All materials and colours of them, used have been chosen to blend in well with their surroundings.

In addition to this Mrs Cox has become a well liked and helpful member of the local community and she deserves to be able to have a home to call her own.

So I am in full support of her building application.

63 Kempton Grove
Cheltenham
GL51 0JU.

Ham Stud,
Ham Road
Charlton Kings,
Cheltenham

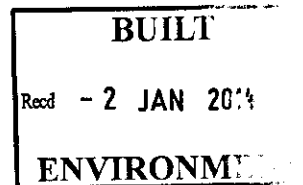
GL52 6ND

31/12/13

To. Tracey Crews: Head of Planning

Cheltenham Borough Council

Your ref 13/01459/COU



Dear Madam

Re: Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses at Castle Dream Stud, Mill Lane, Charlton Kings

Further to my comments on 22nd August 2013 I am objecting to any further retrospective application on the above site, as this is another clear example of disregard of the planning conditions put on the site when the temporary planning was granted.

Obviously the bathroom in the stable block was installed without any consultation with the Planning Department whatsoever. Therefore I feel that this retrospective plan should not be allowed and the site should be returned to its original condition, including the removal of all backfill materials contained in the hardstanding area.

I also feel that any change of use being considered by the Planning Department should be for the use of the sole current owner, Mrs J Cox, and not a traveller family as stated above, and for one large caravan only.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

22/8/13

I object to the application to make this a permanent site for travellers for the following reasons:

Since temporary planning permission for 3 years was granted, for the applicant's personal use only, some of the conditions of this planning have not been adhered to.

- There have not been any horses on the site for the past eighteen months. The application was originally granted so that someone was on site to look after the stock.
- A further static caravan has been moved onto the site without permission, although this has now been removed.
- I am also lead to believe that criminal activities have been carried out from this site [as stated in the local press]
- Domestic waste from an inefficient septic tank is still being discharged onto the highway.

My other serious concern is the change of use from a temporary Traveller site to a permanent Traveller site in an Area of Outstanding Natural Beauty. This could have the potential for extension in the future, especially if the conditions of the applicants personal use, and other conditions imposed by the Planning Inspector, were not adhered to.

Therefore, due to the blatant disregard of the planning conditions, the temporary permission should now be suspended and the site returned to its original condition, including the pond, land drainage ditches etc, which have been filled in without any consultation.

Name		[REDACTED]	
ADDRESS		[REDACTED]	
REC'D	- 7 OCT 2013		
Date of Response		Type of Response	
Initials of Applicant		File Ref.	

25, Home Farm Court
 Greenway Lane
 Charlton Kings
 GL 52 6LA

4.10.2013

The Planning Officer
 Cheltenham Borough Council.

Dear Sir or Madam,

Re a plot of land adjoining the Northern side of Mill Lane between the junction with Harp Hill and the driveway to Glenfall House: see square S8 in the A-Z street-map of Cheltenham.

N.B. I am not referring to the grassy field which adjoins the Western side of Mill Lane after it has turned sharply Southwards. This has or had a notice on the gate saying it has got planning permission to build a Stables + is or was for sale.

As I live in a small flat, I go for walks in this lovely area, but have never got as far as Glenfall House, so last Sunday, I asked my daughter who was visiting me, to drive us up Greenway Lane, turn right at its junction with Harp Hill ^{and} park the car at the convenient triangular space just beyond, so we could walk down Mill Lane as far as the driveway to

2/
Glenfall House - then try to find the footpath
across their fields, which we did.

As we retraced our steps back to the car,
along this top part of Mill Lane, my daughter
noticed something that had not caught our
eyes previously. Among the greenery + bushes
beside the road, on our right, was a
nicely made notice stating that Permission
has been requested to develop this land, so
that a Family of Travellers can keep a
static caravan here permanently - or words
to that effect. I'm sorry I can't walk up
there now to copy it exactly. It wasn't one
of your department's usual notices, and I
thought you would be interested. My daughter
said that the date on the notice was very
recent. She had to climb up a bit of a bank
to read it, so I didn't scrutinise it, myself.
Instead, I peered through a space in the fence
and saw a large area of brand-new
"hardstanding" and a small, white caravan.
Then I realised that the fence was new,
made out of strong wooden planks, and there
was a solid wooden gate, + beside that,

3

there was a little block of older-looking wood with two words on it - like the name of a house; I think the first word was the name of a flower. The second word was "STUD" - but there is no house marked there on the A-Z map.

I have been watching the Public Notices in the Echo all week, and this "application" has not been mentioned. I just wonder if that notice we saw was intended to put people's mind at rest, + they haven't actually applied.

I think that car-drivers would not notice this development as it is screened by the roadside greenery. We didn't notice it on our walk past it - only my daughter's sharp eyes spotted it on our return. There were some newly sawn tree-trunks in a neat pile, nearby, I then noticed. But why does this "Family" need such a large area of hardstanding to put ONE caravan on? If they have a stud-horse, I'm sure he would prefer to be in a grassy field.

I expect there is plenty of water, up there, but what about the drains? It is not near any other houses, + I fear the "hard-

standing" area is intended for more caravans, which will come and go, + therefore do not need permission, except that of the resident of the "one static caravan" mentioned in the notice we saw.

I thought that "Anchor" who own the leasehold of the land on which these flats are built, would be interested in this proposed development, but the Manager here said they wouldn't, so I am writing to you to ask what your department knows about it - + I can then tell any other residents here any information you can supply. It is such a lovely, unspoilt area, free for everyone to enjoy - but the roads are very narrow with no pavements, + Mill Lane has a notice saying "Unsuitable for HGV." It is also used a lot by horse-riders.

So please send someone up to have a look, if this is news to you. It would be advisable to park on the grassy triangle which I mentioned earlier, and then walk towards Glenfall House - the development will then be on the left.

Yours sincerely

[Redacted signature]

10 DEC 2013

25 Home Farm Court

GL52 6LA

21.12.2013

Mrs Wendy Hopkins

Re your letter of 19 Dec - your ref

13/01459/COU

Dear Madam

What a time to choose to send this letter!

I wrote to you some time ago on the subject, stating my fears about this development. I have no time to write at all again. Please refer back to it

Yours faithfully



Cheltenham Borough Council Environment Group			
USED TO			
REC'D	- 7 OCT 2013		
Date of Response		Type of Response	
Initials of Respondent		Ref	

21 Thames Road,
Whaddon.

Cheltenham.

GL52 5PU

5 Oct. '13.

Mrs Wendy Hopkins,
Senior Planning Officer,
Built Environment,
Cheltenham Borough Council,
Municipal Offices
Promenade, Cheltenham. GL50 1PP.

Dear Mrs Hopkins,

Re: - 'Castle Dream Stud', Mill Lane, Charlton
Keeps, GL54 4EP. Change of use of land for the
permanent residential occupation by a traveller
family etc:

No! No! No! No! The AONB is supposed to be
a protected area. It is not a place to allow humans
to reside willy nilly, travellers or not.

The inspector had to give temporary permission
to the Coxes because being 'travellers' and Cheltenham
having no place to put travellers, he was unable to
move them off this site. However when the J.E.S. happens,
there should then be a place for 'travellers' to go. They
have permission to stay, providing they follow certain

Criteria, until Sept. 2014.

Since then Mrs Cox's husband has travelled on and taken the horses with him. The horses were a by reason why they were able to stay at 'Castle Dream Stud'. So now Mrs Cox has no reason to be there.

No permanent permission please. The terms of this agreement to stay temporarily have been broken many times. i.e. They are both there with the horses, only 2 caravans. There is now irreversible damage to this precious piece of the AONB.

If we don't protect the Turpes of the AONB, then in future there will be no AONB. We must stand firm and safeguard our planning laws.

Yours sincerely,

