

APPLICATION NO: 15/00058/FUL		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 21st January 2015		DATE OF EXPIRY : 18th March 2015	
WARD: Charlton Kings		PARISH: CHARLK	
APPLICANT:	Mr & Mrs Thornton		
LOCATION:	9 Copt Elm Road, Charlton Kings, Cheltenham		
PROPOSAL:	Erection of single storey dwelling		

REPRESENTATIONS

Number of contributors	24
Number of objections	24
Number of representations	0
Number of supporting	0

28 Douglas Road
 Surbiton
 KT6 7SA

Comments: 12th February 2015

I am writing to object to the new plans to build a dwelling in the garden of 9 Copt Elm Road for three reasons:

1. The new design remains completely unsuited to the plot and will severely detract from the beauty of the area;
2. The key concerns on Safety and Conservation do not appear to have been addressed by the applicant at all in these revised plans;
3. And the Conservation & Highways Officers both recommended planning permission was refused on the previous proposal.

For these reasons I urge the planning committee to reject this new proposal as well.

43 School Road
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL53 8BQ

Comments: 11th February 2015

- 1) the visual impact would be a detrimental one to the surrounding area, the modern box structure does not seem suitable for this location.
- 2) an additional traffic entry to the lane adjoining the property would not desirable. The lane, as well as serving as vehicular access for Church Walk residents, is well used as a local footpath.

32 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AH

Comments: 2nd February 2015

I would like to object to this application on these grounds.

1. This is supposed to be a conservation area with certain rules to maintain this status. What is the point of a conservation area if this application is allowed.
2. The proposed design of the build is totally out of character within this conservation area.
3. This is another example of garden grabbing for profit. What if the people requesting this application decide to move away after having this property built? The residents of this area will be left with a property they did not want built.
4. The access to the property is down a narrow lane. This is frequently used by pedestrians for leisure and parents walking their children to school. It has got a number of cars that use this lane already and we don't need to add to that traffic. There has already been two car accidents at this location to my knowledge. One involving a car that uses this lane.
5. The last time a house was granted permission to be built at the end of this lane, Copt Elm Road was used as builders supply depot for the build. The lane was too narrow to offload supplies at the build site. So a lot more people were inconvenienced by this activity.

54 King William Drive
Cheltenham
Gloucestershire
GL53 7RP

Comments: 12th February 2015

I object to this application.

Having only recently moved out of Charlton Kings Parish after 37 years, I am still concerned about inappropriate development being aimed at the heart of my old community.

Other objectors have quoted planning matters chapter and verse but in lay terms the reasons for refusing the application I think are as follows.

As far as I can see, the whole application tramples on everything which makes this area of Charlton Kings special. You can hardly believe the insensitivity -

- no respect for St Mary's Conservation Area
- no respect for the architectural form, style and materials of the neighbouring dwellings
- no respect for the very special series of long gardens
- no respect for the Borough's SPD on 'garden grabbing'
- no respect for the safety of the users of the lane.

I hope that the recommendation will be to refuse and that the Borough will agree.

Exeleigh
Church Walk
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BJ

Comments: 10th February 2015
Letter attached.

5 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 12th February 2015
This is to place on record our objection to planning application 15/000058/FUL.

We would hope that the level of opposition to the original proposal will have already demonstrated to the Planning Committee the deep concern felt locally at what appears to be an opportunistic application.

There is nothing in the revised proposal to alter what we have already said regarding this application. The construction design remains incongruous to the surroundings; concerns about the increased impact on an already hazardous traffic/parking situation has not been reduced in the slightest; and there is no altering the fact that planning agreement to this application will inevitably be seen as a green light to further development of the area. If this construction is allowed on land supposedly protected within a long-established Conservation Area, then what is to stop garden-grabbing anywhere?

That these gardens do come under the protection of the St.Mary's Conservation Area is obviously hugely inconvenient to this application and is skimmed over very lightly in the documentation.

We would also point out that the statement explaining the current condition of the garden at no.9 as being 'somewhat unkempt due to the difficulties in managing the whole gardens as a result of its size', simply does not hold water.

The size of the garden has been purposely enlarged and the reason it is unkempt is because it has been full of building rubble, window-frames, etc since the extension was carried out at the end of 2013.

This is already a fairly congested part of Charlton Kings, but the gardens provide the breathing space that still makes this such an enjoyable area in which to live. Long may it remain so. We we very much hope that the Planning Committee will support the Conservation Area and the wishes of the local community by rejecting this application firmly and finally.

13 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 10th February 2015
Letter attached.

15 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 11th February 2015

Once more I wish to strongly object to the proposed building at the rear of no. 9 Copt Elm Road. It is not in keeping with the area in any way. Modern designs have a place in things, but not in Charlton Kings. This is a lovely old part of the area and would be spoilt by the addition of this building. Also the traffic is already at a dangerous level, 10/12 cars and delivery vehicles, another 4 cars will add to the dangers. At times it is impossible to see when coming out of Church Walk into Copt Elm Road, and the volume and speed of the traffic make it really dangerous.

4 Church Walk
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BJ

Comments: 11th February 2015

I wish to reiterate my objections to the proposed development at 9 Copt Elm Road. The proposed modifications to the design of the building go very little way to making the planned building acceptable. The new design is still quite out of character with other buildings in the area. To approve it would nullify the purpose of the conservation area and it would exacerbate the traffic problems in the narrow lane leading to the proposed dwelling.

I must confess my surprise that this new proposal has been submitted at all, such was the volume of objections to the previous one. Furthermore the revised proposal largely ignores the principal criticisms of the project. These fall under three main heads.

First nearly every objector mentions the style of the building being quite incongruous and incompatible with the conservation area. Removing the first floor, as envisaged in the first application, does not alter this judgment. The new design is still boxy and industrial looking.

The second major objection, raised by about two thirds of the objectors, concerns the narrowness of the lane which makes motor traffic a danger and inconvenience to the many pedestrians who use it. Extra building will spoil it for the many families, dog walkers and elderly people who like a quiet rural walk to the shops or schools.

The third common objection concerns the blind exit from the lane onto Copt Elm Road. The lane emerges onto the road at the point where the cars travel at their fastest, many breaking the speed limit. It is difficult to exit at the lane at the best of times, but if, as is often the case, large cars or vans are parked on the road near the exit, one takes one's life in one's hands,

For these reasons, I and many other residents hold that the proposed dwelling at 9 Copt Elm Road would do nothing to enhance the site or the conservation area, but would rather degrade it.

7 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 10th February 2015
Letter attached.

7 Sandford Mill Road
Cheltenham
Gloucestershire
GL53 7QH

Comments: 12th February 2015
Letter attached.

30 London Road
Cheltenham
Gloucestershire
GL52 6DX

Comments: 11th February 2015

As a regular visitor to this part of Cheltenham, I reiterate the comments I made on the previous application to build on this site (in June 2014). I still see no point in building it up even further and ruining what is already a precariously balanced area. This building will place added pressure on an already cramped residential zone, both in terms of extra traffic through what is not a designated highway, and also extra demand on other essential services. I daresay the proposer owns the land and thus, should planning permission be granted, will be able to make off with a hefty profit to find more amenable, and spacious, pastures new. However, this does nothing to improve the lot of local residents committed to the area and who wish to stay. Why should their environment be worsened for the sake of the short term gain for those who have no long term loyalty?

29 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 11th February 2015

I still strongly object to the idea of building on this part of the conservation area. I wish to strongly object to this application and my comments remain the same.

This is quite simply the wrong area to build within Charlton Kings. (Regardless of design and access issues which the most determined and convincing consultants might overcome eventually).

This specific area is a one off and contributes hugely to the unique, tranquil and historic value of the St Marys Conservation Area.

It is a favoured route for so many people within the area including a large number of school children and families.

It makes a key contribution to the conservation area that any building would impact irreversibly.

Previous refusals to build were fair and correct in this specific area and would have been known to the new occupants proposing this build prior to purchase.

Should permission be granted it begs the question what part of the conservation area is protected?

I watch with concern for this beautiful area and hope it will keep its character and feel for many generations to come. Any building is irreversible, inappropriate and damaging to St Marys Conservation Area, whether single storey, double storey, red brick or modern.

6 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AY

Comments: 12th February 2015

Letter attached.

38 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AL

Comments: 26th January 2015

The submission of revised plans for a single as opposed to a double storey dwelling does not deal with a number of issues:- Firstly, the land in question was a private garden and this was purchased by the current occupants of 9 Copt Elm Road since their moving into the property. It was a maintained private garden, they have let it turn into a dumping ground, with the sole aim of generating funds for themselves by proposing to build a dwelling on this land!

Secondly, the report by Heritage and Conservation sums up a number of valid points:-

Comment Date: 9th July. 2014

1. *The key conservation issue with this proposal is the impact on the St. Mary's Conservation Area.*
2. *The principle of developing on this site is of considerable concern: the long narrow gardens are a distinctive characteristic of the area and this development would sub-divide the gardens laterally creating a double width plot alien to its immediate surroundings.*
3. *The pairs of semi-detached cottages were constructed between 1884 and 1902, as seen on the historic OS maps, and are similar to development on Lyefield Road East and Lyefield Road West, identified in the conservation area character appraisal as being a "visually distinctive group", in terms of form and plot widths.*
4. *The long gardens of this section of Copt Elm Road appear to be a fortuitous anomaly as a number of these similar developments have shorter gardens: these plots were sub-divided at an early stage of development and are not necessarily the result of later land grabbing.*
5. *Furthermore the contemporary architectural predominantly single storey lateral form of the proposal is foreign to this part of the conservation area that unlike the mix of architectural styles and materials found in other parts of the conservation area has a distinctive identity.*
6. *This sensitive historic area is overwhelmingly residential, brick built and modest in scale while the proposed building is unsympathetic to the existing buildings and infrastructure; not*

domestic in appearance and occupies a vast footprint that sprawls across the width of two plots.

- 7. The dominant form is two storey with a pitched slate roof and end gables and this proposal is for a predominantly box-like construction with a flat roof.*
- 8. Certain design decisions related to its height and mass have been made to lessen the impact of the development on the amenities of neighbouring properties, however, this has resulted in a large footprint; limited garden space and an incongruous non-domestic form.*
- 9. A building in this location would inevitably appear hemmed in, which is inappropriate for the architectural style, best appreciated in an open site not surrounded on all sides by dense gardens and established buildings.*
- 10. The recent extension to No.9 occupies a substantial footprint and the single storey detached building in the garden (garage?) in combination contributes to the impression that this area is already over developed.*

Summary: development in this location will degrade the conservation area by irretrievably altering the established historic layout and introducing an incongruous built form that does not respect the established character of the area and fundamentally will neither preserve nor enhance the conservation area.

CONCLUSION:
Refuse."

Lastly the road that will service this dwelling was deemed to be already overstretched by the existing houses using it. The contemporary dwelling should not be built on this site in a Conservation Zone.

I object, yet again to this proposal.

2 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 24th February 2015

I am most concerned about a proposed dwelling at the rear of 9 Copt Elm Road, Charlton Kings with access from Church Walk. I use Church Walk frequently and it is a beautiful, tranquil walk within St Mary's conservation area, and a new dwelling has no place in such a conservation area. It is totally out of keeping with the style of the area and will set a precedent for other similar projects in neighbouring gardens. The houses on Copt Elm Road at that point are Edwardian or Victorian with 250 ft gardens, and a modern dwelling has no place here. It will still be obtrusive even as a single-storey building. It would ruin the conservation area.

Also, I have many concerns about the safety of the access from Copt Elm Road, as this narrow access way is already difficult to negotiate, having in recent times actually got narrower where the fence appears to have been moved. Increased traffic will put further pressure on parking at the end where the side access meets Church Walk, if not by the residents of the proposed dwelling then by others visiting them. Turning at the end of this access way is already tight and the narrowness of the side access makes reversing down very difficult especially where it has become narrower. I know this from experience as my daughter has a friend living on Church Walk.

I have further concerns about safety in Church Walk if there is increased traffic; this only remaining part of a Medieval footpath is used by children walking to school, in particular to Charlton Kings Infants School; I myself used to use this daily to walk with my daughter to the Infants School.

Langton Grove
Langton Grove Road
Cheltenham
Gloucestershire
GL52 6JA

Comments: 17th February 2015

The current objections are well reasoned in relation to the preservation of the conservation area.

I wish to endorse and support all these comments of objection.

The proposed development is unsuitable and unnecessary and if permitted would result in a jarring blot on the landscape and may set an unfortunate precedent.

The potential damage to the conservation area, particularly to the fruitful, accessible and interconnected rear gardens, which are singularly characteristic of this area, is significant.

This application fails to preserve or enhance the conservation area.

29 Lyefield Road East
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BA

Comments: 10th February 2015

Regrettably, all our comments on the previous application still stand so, once again, we request this planning application be refused.

All our points below were picked up in the reports from the council's own professionals on the applicant's previous application to build on this site. In fact, the council's own professionals all recommended that the previous application be refused. In this revised application the applicant has in no way addressed the issues addressed by the Conservation report, or more seriously in terms of safety, the Highways report - in fact it seems they are blatantly disregarded, so therefore we cannot see how these revised plans could be considered an acceptable proposition. It would seriously harm the area and contravene public safety.

The application contravenes current council policy, whilst at the same time showing no regard for the historic area in which it is proposed the St Mary's Conservation area. The design proposed does not reflect the character of the area or the row in which it is set. The council has set out to preserve these houses and their gardens by the very establishment of a conservation area.

This proposal plans to build on a long narrow garden; Cheltenham's Supplementary Planning Document Policy (2009) states that The development of private green areas, open spaces and gardens, which make a significant townscape and environmental contribution to the town will not be permitted. This garden is in a conservation area specifically designated for distinctive character and historic plot boundaries and these should be preserved. In fact the conservation statement says preserved and enhanced'. The National Planning Policy Framework (NPPF), section 12 'Conserving and enhancing the historic environment' says (para 134) Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. This building is utterly out of keeping with the area, it reflects nothing of the local style or design and it would have a detrimental impact on the surrounding houses, particularly in the row in which it will sit. It will serve only to begin to destroy this characterful and historic area. There is no public benefit in this proposal whatsoever. The council

has already set out measures to preserve the environment from inappropriate development. We request that you uphold your policy in this instance and allow this modernist design to be built for the applicant outside of a conservation area.

Please also consider the road on which the proposed house is sited. It is an extremely narrow road and far too narrow for a car and a person to pass at the same time. It is a well-used footpath by all members of the community much of the time. Adding another house on this road would increase the number of cars and pose further risk to members of the public.

The area has a distinctive village feel and country aspect to it. A proposal like this would permanently damage the St Mary's Conservation Area, breaking up the existing heritage with a one-off inappropriate addition that serves only to detract in style and character from the buildings within the boundary. We ask that you adhere to the policies already in place in order to protect this heritage asset.

2 Church Walk
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BJ

Comments: 11th February 2015

I object to the proposal on the following grounds;

- 1) the design of the building is inappropriate for the area as it is completely out of keeping with the mostly Victorian housing stock.
- 2) the location of the building has a significantly negative visual impact on the neighbourig properties due to the change from a garden use to a large footprint dwelling.
- 3) the Church Walk lane/footpath is extensively used by families and dog walkers, the extra vehicle exit onto the middle of the lane brings potential safety issues as it also removes the ' pedestrian refuge' which exists at present at the 'dog leg' in the lane.
- 4) It is not desirable to have more vehicles using the Church Walk lane/footpath arising from extra housing development.

71 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NS

Comments: 16th February 2015

I write in opposition to the proposed development which in my view do not sit well within the St. Mary's development area.

The design is out of place with the Victorian red brick style which defines this stretch of Copt Elm Road and this position is amplified by the comments from the Heritage and Conservation Group which outlines the situation very clearly.

The Borough Council's supplementary planning document carefully explains how any development must give due consideration to the special character of the area and sets a bench mark which this proposal does not pass.

The long gardens give a very rural feel to the area for those using the popular church walk footpath which runs along the back of the properties. Wildlife thrives in the unspoilt vegetation and use the finger of green as a pathway to access the stream at the Ford without undue disturbance. This development would diminish the enjoyment parishioners derive from this hidden treasure and have an adverse impact on wildlife.

The concerns I have regarding the additional traffic which would be generated along the narrow lane are unchanged despite a tweaking in these new plans. The lane shares its role as an access road and a Right of Way, which already carries a substantial footfall, especially used by children walking to and from school. Exit from the parking area would be potentially hazardous as visibility from the right would be very restricted. I understand that previous recommendations stated that no more than 5 properties should be served by this narrow unadopted road.

I would wish this application to be referred to planning committee.

37 Leighton Road
Cheltenham
Gloucestershire
GL52 6BD

Comments: 12th February 2015
Letter attached.

Comments: 25th February 2015
Letter attached.

114 Hewlett Road
Cheltenham
Gloucestershire
GL52 6AT

Comments: 16th February 2015
Letter attached.

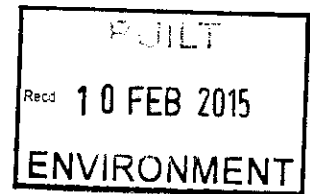
62 Laker Court
Studley Road
Stockwell
London
SW4 6RY

Comments: 12th February 2015
Letter attached.

Fritwell
Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AG

Comments: 12th February 2015
Letter attached.

Exeleigh, 3 Church Walk
Charlton Kings, Cheltenham
Gloucestershire
GL53 8BJ



Mike Redman
Director – Built Environment
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade Cheltenham
GL50 1PP

8th February 2015

Dear Mr Redman,

Planning ref: 15/00058/FUL | Erection of single storey dwelling | 9 Copt Elm Road Charlton Kings Cheltenham GL53 8AG

We would like again to most strongly object to the revised proposal to build a dwelling in the garden of 9 Copt Elm Road. We have many concerns which have not been addressed by the new plans and we reiterate our opinion that regardless of design, no building is suitable for this narrow strip of historic land within St Mary's Conservation Area. Building on conservation areas, green belt land and AONB should be resisted at all costs. We have a responsibility to future generations to preserve and enhance our town, not to destroy it with ill-thought out developments in back gardens which cannot be reversed and will lead to further erosion of green spaces. This may be a small plot but it is a significant one and plays an important part in the village scene.

We live in Church Walk and are near neighbours of the garden and proposed development. As the new planning proposal refers to the original plans/planning statement, our comments take those plans into account along with the revisions. The objections we have are as follows:

1. The proposed development is still in the St Mary's Conservation Area.

This inappropriate development would cause harm to the St Mary's Conservation Area and have a negative impact on landscape setting and biodiversity. The development would not 'preserve or enhance the character of the Conservation Area' (St Mary's Conservation Area Character Appraisal and Management para 1.1), and we do not believe the site is suitable in principle for any development. In fact it would do harm to the immediate vicinity and will impact not only on our neighbours' and our amenity but on other users' enjoyment of the area.

We disagree with the applicant's statement that 'the area is not identified by a distinctive or clear block layout.' According to 4.9 of St Mary's Conservation Area Appraisal and Management Plan

(2009) the plots along Copt Elm Road provide 'a steady, planned rhythm in the pattern of the plots, which tend to be long and narrow in form. This character area was developed in the late Victorian period and represents mass formally planned development.' These long plots make a significant contribution to the character and appearance of this historic area. The proposal would be totally out of keeping with the nature of the area.

There are no dwellings in the gardens of other houses along this stretch of Copt Elm Road or Church Walk. The proposal would not 'follow the lead provided by existing forms of development' in the street, as stated by the applicant, as there are no buildings like the one proposed.

The National Planning Policy Framework says in paragraph 53. 'Local planning authorities should consider the case for setting out policies to **'resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'** Cheltenham Borough Council already has set out such a policy which is consistent with the NPPF. Policy GE2 Private Green Space Objectives O12 and O18 (referred to in the Supplementary Planning Document: Development on Garden Land and Infill Sites), states: **'The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.'** This unfortunate garden-grabbing proposal will harm the local area and pave the way for further development within other back gardens in this conservation area. This should be of great concern to all.

The applicant refers to paragraph 14 of the NPPF: 'Where the development plan is considered to be out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits . . .' Many adverse impacts are in evidence with this scheme, with the only benefit being to the applicant. The Parish Council was very clear on its view of the original scheme:

'The proposed design is out of keeping and does not preserve the Conservation Area; its contemporary, box-like design is unsuitable in our view. We also resist and object to cases of 'garden grabbing' where these impact adversely on neighbours' quality of life or the overall environment. This application is in our view undesirable over-development, impacting negatively on several neighbours, in a traditional, old part of Charlton Kings.'

The points made above are still valid when examining this new proposal.

2. Negative visual impact, poor design and over-development of the garden.

We disagree with the recent comment by Cheltenham Civic Society that the development is 'discreet and appropriate for its location.' We can only assume that the CCS has no knowledge of this particular location to make such a statement. The proposed development is not in keeping with the majority of the properties in the neighbourhood which are of a Victorian/Edwardian era.

The new plans retain the brown and white block form of the existing plans and although the proposal is now lower than the previous, the boxy construction will look out of place in this area. 'This element was to be finished in timber cladding to reflect what would otherwise be a standard boundary fence.' (Addendum to Planning Statement January 2015) Timber cladding to the walls in order to imitate brown fencing, in our view, is unacceptably poor design. SPD Development on Garden Land and Infill Sites, page 43 states that **'the style [of rear garden development] should not seek to compete with the predominant character of the area.'** There are no other buildings of this nature in the vicinity.

The site directly borders Church Walk, which not only provides access to the properties at the end of the lane and but is a public footpath used by local residents and the wider community. The proposed development remains of a scale that it will be seen from this lane. Because of the lowered boundary wall to the north and west the dwelling will be as prominent, from the Copt Elm Road entrance to Church Walk, as in the previous proposal. It will also be publicly viewed from the public footpath leading from Spring Bottom back up Church Walk towards Lyefield Road.



Photo B is taken from near the Copt Elm Road entrance to Church Walk. The proposed drive gateway can be seen on the right by the car. The dwelling would clearly be seen by the public from the Copt Elm Road entrance to Church Walk.

The development, which will be visible from our upstairs windows and our garden, will not enhance the views and vistas of those residents to the north of the development (Church Walk residents and Copt Elm Road, in particular). The building will have a negative visual impact for users of Church Walk (both residents and those who use the footpath).

The Architects Panel stated in their objections to the previous application that **'It is unfortunate that the building cannot be pushed further to the south-east in order to create a relationship with the existing terrace.'** In fact as it is not possible to situate the dwelling to the south-east, and because of the narrowness of the plot, the new design has been squashed into a smaller area to the west. This does not provide a satisfactory design solution as no relationship can be created with the existing terrace. The dwelling will, to use a popular idiom **'stick out like a sore thumb.'**

'The plot effectively runs East West in direction and can't be seen from Copt Elm Road.' (Site Analysis form Design and Access Statement) This statement is wrong. The garden can be seen from Copt Elm Road and with the lowering of the boundary fencing/wall to the north/west of the proposed dwelling it will be very conspicuous and will dominate this view.

Although the footprint of the dwelling is more compact than the previous proposal, this creates an additional problem. The distance between the new build and the recently-constructed long, high extension at the rear of 9 Copt Elm Road has been reduced, leading to an even greater impression of over-development of the plot, in addition to increasing the hemmed-in impression that the Heritage and Conservation Officer objected to in the original planning application:

'A building in this location would inevitably appear hemmed in, which is inappropriate for the architectural style, best appreciated in an open site not surrounded on all sides by dense gardens and established buildings.'

And:

'The recent extension to No.9 occupies a substantial footprint and the single storey detached building in the garden (garage?) in combination contributes to the impression that this area is already over developed.'

'The proposed dwelling should be orientated to make the most of the views that are available from the site without the need to reduce the number of trees that currently form the site boundaries.' (Design objective from Design and Access Statement December 2014).

From the plans it appears that the south-facing wall of the property will go right up to the boundary edge and there will be no south-facing windows. Windows facing north and east will be hampered by the close proximity of the boundary fencing. The planners have attempted to compensate for the paucity of light by providing roof windows and windows looking onto an inner courtyard, but in our opinion this lack of openness will lead to a claustrophobic feel inside the property, and the views the applicant mentions will be severely limited.

3. Traffic/Access and Highway safety

We remain concerned about the effect of additional traffic movement on a very narrow lane. As we stated in our previous letter children use it to walk to and from school and many visitors/locals enjoy its calm environment, away from the hubbub and noise of the main road, using it to walk to the ford and Spring Bottom. It cannot be forgotten that this lane is a well-used public footpath.



Photo A shows the entrance/exit to the driveway of the proposed dwelling. Hedging and a large tree are opposite the gateway. It demonstrates the narrowness of the lane and the difficulties posed by the lack of space.

Even with the reduction in the height of the boundary wall adjacent to Church Walk the entrance to the driveway is at such an angle and still high enough that visibility will be insufficient with regard to children, cyclists and vehicles coming from the right. A driver will need to pull out from the driveway to get a clear view. The Highways Liaison Planning Officer recommended refusal on the grounds that **'the development fails to provide safe and suitable access in accordance with NPPF specifically Section 4 (Promoting sustainable transport) and Section 7 (Requiring good design),**

due to the failure to provide satisfactory intervisibility between Highway users.’ This remains the case with the new proposals.

It is unclear from the plans what the proposals are for parking for 9 Copt Elm Road. Again this was stated as a reason for refusal by the Highways Liaison Planning Officer: **‘The development fails to provide suitable access and parking for both no 9 Copt Elm Road and the proposed new dwelling under Gloucestershire County Council Highways Development Co-ordination Standing Advice Proposed or Existing residential Development comprising 5 dwellings or less and in accordance with the Development Plan policies and other material consideration, including the National Planning Policy Framework related to car parking.’** Two parking spaces are proposed but there is no mention of whether 9 Copt Elm Road will share the same parking area as the new dwelling.

Our concerns remain with regard to the narrow, gated access at the bottom of the garden of the proposed development. It is unclear from the plans what would happen to this section of the garden which is adjacent to and on the corner of the public footpath part of Church Walk. We seek assurances that it would not be used as entry/egress/parking to the proposed development. This area is totally unsuitable for vehicle access to the dwelling (either instead of or indeed in addition to the parking at the front of the proposed property) as visibility is poor on that corner and public safety is a real issue.

Two previous applications for a dwelling to be built in the back garden of 9 Copt Elm Road were both refused, on the following grounds:

1. **80/00280/PO**
 - a. **‘conditions detrimental to the amenities of surrounding properties’**
 - b. **‘existing access inadequate to satisfactorily cater for further development’**
 - c. **‘increased traffic would not be in the interests of highway safety’**

2. **84/00479/PO**
 - a. **‘undesirable form of backland development served by inadequate access ... insufficient to satisfactorily cater for further development’**
 - b. **‘increased traffic would not be in the interests of highway safety’**
 - c. **‘inconvenience and disturbance to occupiers of nearby dwellings’**

In 2004, with reference to policies TP127 (now TP1 ‘Development and Highway Safety’ in the Cheltenham Borough Local Plan 2nd Review 2006) and TP129 (now TP2 ‘Highway Standards’), the GCC Highways Planning Liaison Officer recommended that a similar proposal (for a dwelling in the back gardens of 11-17 Copt Elm Road) be refused on the grounds that the maximum number of houses that should have access to an unadopted private drive had already been reached. The same safety issues still exist and are valid in this case.

4. Loss of Amenity and privacy

The proposed property will totally change the character of the neighbourhood. The layout means that the property will be seen from neighbouring properties and gardens. Access onto the grass roof will compromise the privacy of neighbours. We seek clarification with regard to this roof garden.

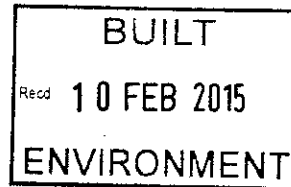
In addition to the above points, we are concerned about the effect of the actual building work on access and parking for residents. Deliveries and removal of materials and building machinery will create additional hazards and safety issues on such a narrow lane. During recent extension work on 9 Copt Elm Road the lane was closed off to residents at certain times and difficult-to-remove rubble and general building waste remain in the garden, as can be seen in the photos of the site in the planning statement. We are worried that more significant disruption would occur with such a large project. Vehicle access is required at all times by residents, some of whom are disabled or elderly. Furthermore, damage will be caused to the surface of the lane by the building work (the cost of recent resurfacing was shared between residents).

It is hard to see what benefit there is for local residents and the community in this proposal and we feel that **'any adverse impacts of building in the garden would significantly and demonstrably outweigh the benefits.'**

We ask that the council considers our objections most carefully when deliberating on this application.

Yours sincerely,





Mike Redman, Director, Built Environment,
Cheltenham Borough Council,
PO Box 12 Municipal Offices,
Promenade,
Cheltenham GL50 1PP

Date: 9th February 2015

Dear Sir,

RE: Planning Application 15/00058/FUL – Erection of one dwelling at 9 Copt Elm Rd, Charlton Kings.

I wish to object on the following bases:

1. Traffic and Pedestrian Safety

The previous application (Number 14/00878/FUL) was commented upon and refusal was recommended by the Highways Consultant in the report dated 26.06.2014. The issues he raised have not been addressed in the current plan and the following issues must be considered.

1. A Church Walk is a narrow lane without any footpaths, curbs, or passing places. It is bounded to the North by a high hedge and to the South by a high, approximately 6 foot, close boarded fence. It is also not a straight “roadway” as it is doglegged at the point where the present owner has created a pair of double gates. These features mean that safe travel within the lane is potentially hazardous for the many walkers, bike riders and dog walkers (see photographs 1-4 inclusive). Vehicles exiting the proposed site have virtually no visibility along Church Walk to the right, i.e from the East (see photograph 5).

I have observed many Mothers with toddlers and prams walking on Church Walk. Some small children are on bikes and scooters. I have seen them in groups of five children with two adult Mothers. They use the lane as a way to and from the local school and local amenities.

The speed of vehicles in Church Walk (especially tradesmen’s transport) can be excessive. There are already 9 houses with numerous vehicles using Church Walk to access and exit to Copt Elm Road.

1. B. Under TP127 and TP129 reference is made to the maximum number of houses recommended to have access to the lane is said to be five, but at present nine houses are serviced by the lane running West –East from Copt Elm Rd.

1. C The exit to Copt Elm Road is hazardous. Drivers are unable to see traffic coming from the North downhill and are they are frequently speeding. The view of the emerging driver is frequently obscured by parked cars and bigger vehicles, (see photographs 6-7).

The turning into Church Walk is also hazardous and there has been one recent serious collision in the public highway when the driver was turning into the Walk from the direction of Lyefield Rd. I witnessed this myself, (photograph 8 is illustrative of the problem).

Drivers emerge from Church Walk unsighted until the last minute from seeing pedestrians, particularly small children travelling on foot/bikes/scooters past the exit. There is no curb and many adults, and children especially, using the Copt Elm Rd footpath seem to be unaware that a vehicle may emerge. Small children on scooters are particularly vulnerable because of the momentum they have built up coming down the hill from the local infants/ primary school in Lyefield Road. This is only a few hundred meters away, (see photographs 9-13

1 D Several previous applications to develop this plot have been refused because of adverse traffic issues.

As far as I am aware the planning law and guidance considerations have not altered since the last application was made in 2014.

It is clear that the applicants have not addressed the issues raised previously by the Highways Consultant and no mention of any further proposals are made in the addendum to the original planning statement.

2. Environment

I refer to the report of the Heritage and Conservation Consultant dated 05-02-15 which recommends refusal.

Further:

2. A. I refer to the Council's own Local Development Framework (Supplementary Planning Documents) (June 2009) on garden and infill and development at page 15 (3.3) refers to" the character of the area and locally distinctive patterns of development, landscape and use, a combination of all aspects of the place together make it distinct from anywhere else". The distinct historic Victorian gardens in such a large block are most locally distinctive.

Further at page 15 of the same Supplementary Plan (3.5) it says, under elements of character, that "change that results in harm to the character or amenity will normally be unacceptable".

In my opinion harm will result both to the character of the gardens/the village atmosphere and the local amenity. The latter applies both in terms of pedestrians using Church Walk, and the ability of residents to grow their own food.

2. B Under The National Planning Policy Framework (2012) and in particular clauses 127 to 133, in my opinion, the Council has a duty to consider the historic interest of the special example of Victorian Gardens, and other matters mentioned therein. These have not been given sufficient consideration or weight by the proposed developers' plans.

2 C In clause 130 of the above mentioned plan the following words are used, "where there is evidence of deliberate neglect or damage to a heritage asset, the deteriorated state of the heritage asset should not be taken into into account in any decision"

I have lived at No 13 Copt Elm Road for almost 30 years and until very recent years the garden at the rear of numbers 9 and 11 were tended as productive and attractive gardens and used for food production. Since the 2011 planning application was made and refused, the land at the back of number 11 has been allowed to deteriorate to a sad state This is because the proposed developer has used it as a dumping ground for the waste created by the recent building of the extension to his own present property at number 9.

3. The gardens are of special historic interest as fine examples of Victorian cottage gardens. They are full of wildlife. I have foxes and frogs in my garden and badgers are seen regularly in Church Walk. There is a large, almost land locked green space, traffic free, on three sides, comprising the block of the gardens behind the Villas, and well tended long gardens with trees/hedges and shrubs. There are nesting sites very nearby.

4. Scale/Prominence/Appearance of the proposed development

4.1 The scale of the building and ground footprint of the proposed building is very large. It is contemporary in design and does not sit well among the predominantly Victorian red brick or rendered villas, all with pitched roofs. The property, if built, will be still be high in part (over 3 meters at the atrium point) and will be visible from a number of existing properties in Church Walk and several in Copt Elm Road, including numbers 13/11/9/7. It will also be visible from the lane running West/East along the northern boundary of the site. Although there is a fence of approximately six feet the building will be higher.

4.2 The general nature/size and design of the building is out if keeping in a Conservation Area and degrades it.

I refer specifically to the Planning Statement dated May 2014 produced on behalf of the developers:

Page 12. Question C1. Inaccurate.

The building will be visible from the public realm (Church Walk and the lane)
See above 4.1

Page 12. Question C2. Misleading. The proposed development will impact on biodiversity and on the important amenity and character of the special historic back garden lay out at the rear of the Copt Elm Villa Development.

Page 13. Question 6. Incorrect. This proposed development does not respect existing development patterns in the block or respect the nature and size of the same.

Page 13. Question 7. Incorrect. There will be substantial undue impact in that the development will be seen clearly from Church Walk and a number of neighbouring properties.

Page 14. Question 8. Incorrect. See above under Traffic and Safety on page one of this letter. It is ridiculous to say that there will be no net impact of traffic in the lane. This will be multiplied many fold during construction and if built there may well be two vehicles owned by the occupants of this home. The lane already is congested at times.

5

be multiplied many fold during construction and if built there may well be two vehicles owned by the occupants of this home. The lane already is congested at times.

Page 14. Questions 9 and 10 See above under Scale/Prominence of Building etc. I believe that the statements made are inaccurate and misleading. The building is out of keeping, and totally unsympathetic to the surrounding area and architecture (see below).

Page 14. Question 13. Age and Architectural style. The answer given is misleading. There is not a great variety of "styles of buildings locally". They are mainly Victorian Villas and a few later buildings. These by and large are one story bungalows. They all have pitched tiled roofs and are mainly built of the same materials, namely brick and/or render.

I enclose some photographs showing the potential for accidents as mentioned above. These were all taken last summer in connection with the previous planning application. Since then the traffic and parking problems have worsened mainly because of the parking of larger vehicles close to the junction of the lane and Copt Elm Road making visibility in that area even more hazardous.

Addendum to Planning Statement dated May 2014

My comments are as follows:

The size and height of the proposed building have been reduced and the building moved nearer to the existing dwellings in Copt Elm Road. However, there are still serious concerns, in my view, as to the access/traffic/parking issues raised in 2014 under application 14/00878/FUL

It is not therefore correct to say that "there should be no reason for the proposal not to continue to be supported by the council" as stated in 3.8, page 3, of the document dated January 2015. To my knowledge the proposal under consideration has never yet been determined or supported by the Council. All previous applications were refused or withdrawn before being decided by the Borough's full planning group.

In 4.2 of the January 2015 document it is stated that "the amendments made have fully resolved the concerns of the case officer". I point out that the major concerns and issues of the Highways/Heritage/Conservation consultants have not been addressed in the current application.

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For the many reasons stated in this letter I urge the planning department and Borough Council to reject the proposed plans and to refuse permission for this development.

Yours faithfully,

[Redacted signature]

[Redacted]
13 Copt Elm Rd GL53 8AG

14

FIVE
BAR
VEHICULAR
GATE
+
MATURE
HAZEL
TREE



15

VIEW
OF
MATURE
HAZEL
TREE



IMAGES TAKEN
SUMMER 2014.

①
PARK
CHURCH
WALK
FROM
COPT
ELM
ROAD



②



③

ENTRANCE
TO
CHURCH
WALK
FROM
COPT
ELM
ROAD



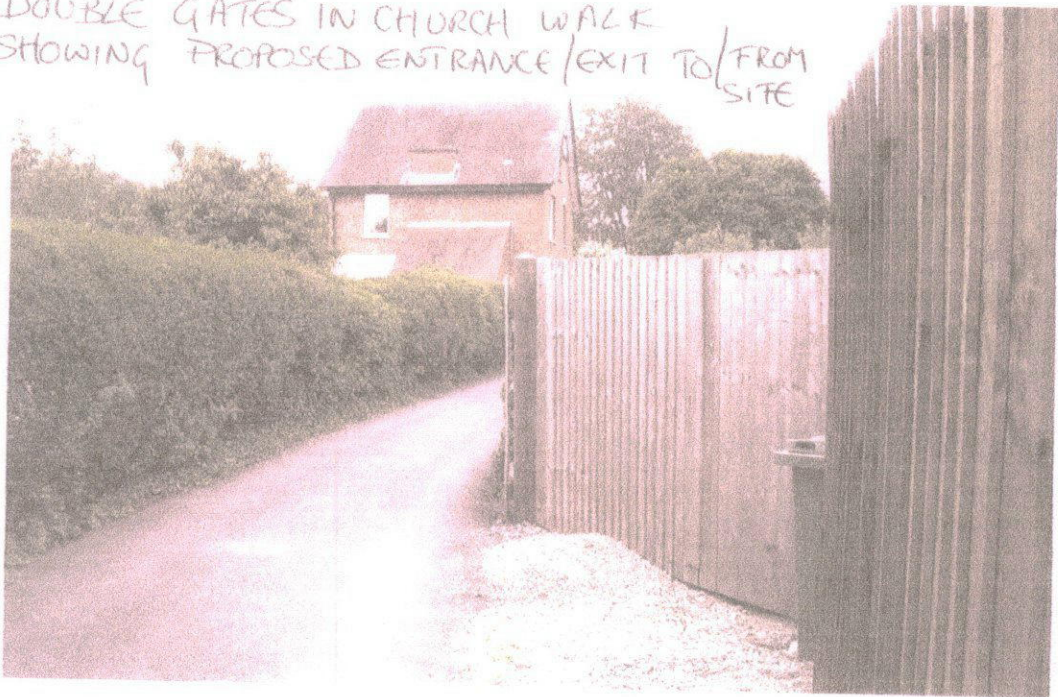
④

PART
CHURCH
WALK
FROM
EAST
END



⑤

DOUBLE GATES IN CHURCH WALK
SHOWING PROPOSED ENTRANCE/EXIT TO/FROM
SITE



6



VIEW FROM EAST FOOTPATH SHOWING EXIT FROM / ENTRANCE TO CHURCH WALK

7



8



VEHICLE TURNING INTO CHURCH WALK FROM THE DIRECTION OF LYEFIELD ROAD

9

VIEW
TOWARDS
LYEFIELD
ROAD
FROM
DRIVER
POSITION
EMERGING
FROM
CHURCH
WALK



10

DRIVER
POSITION
EMERGING
FROM
CHURCH
WALK
LOOKING
TOWARDS
A 40



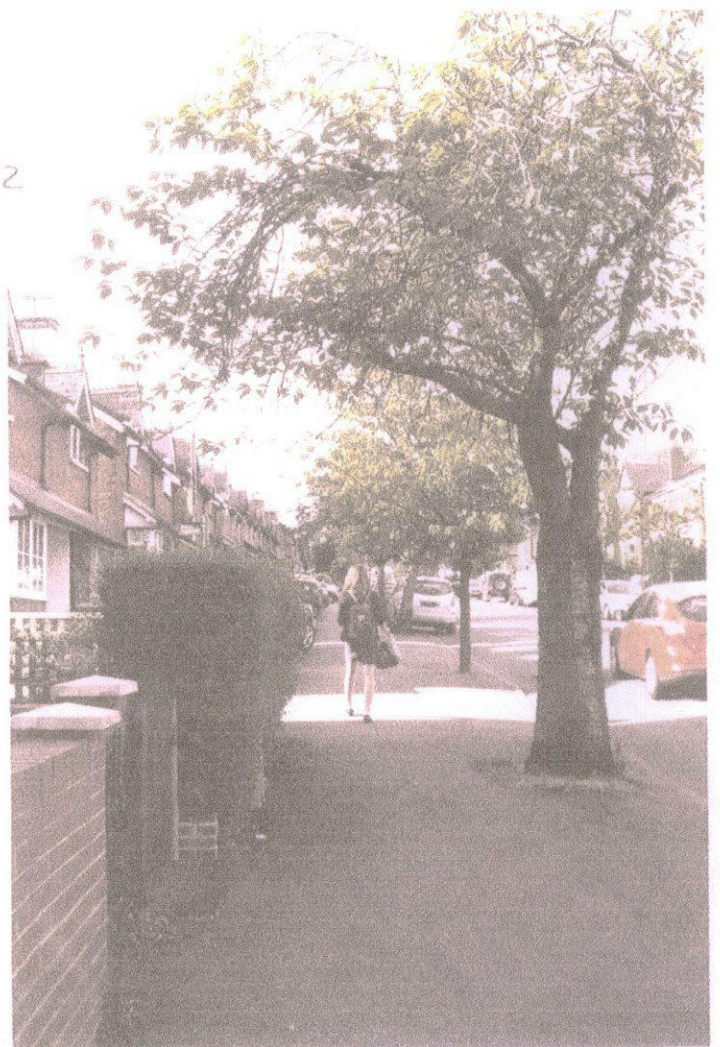
11



PEDESTRIANS / BIKE RIDER
AT THE ENTRANCE /
EXIT FROM CHURCH WALK
INTO COPT ELM ROAD

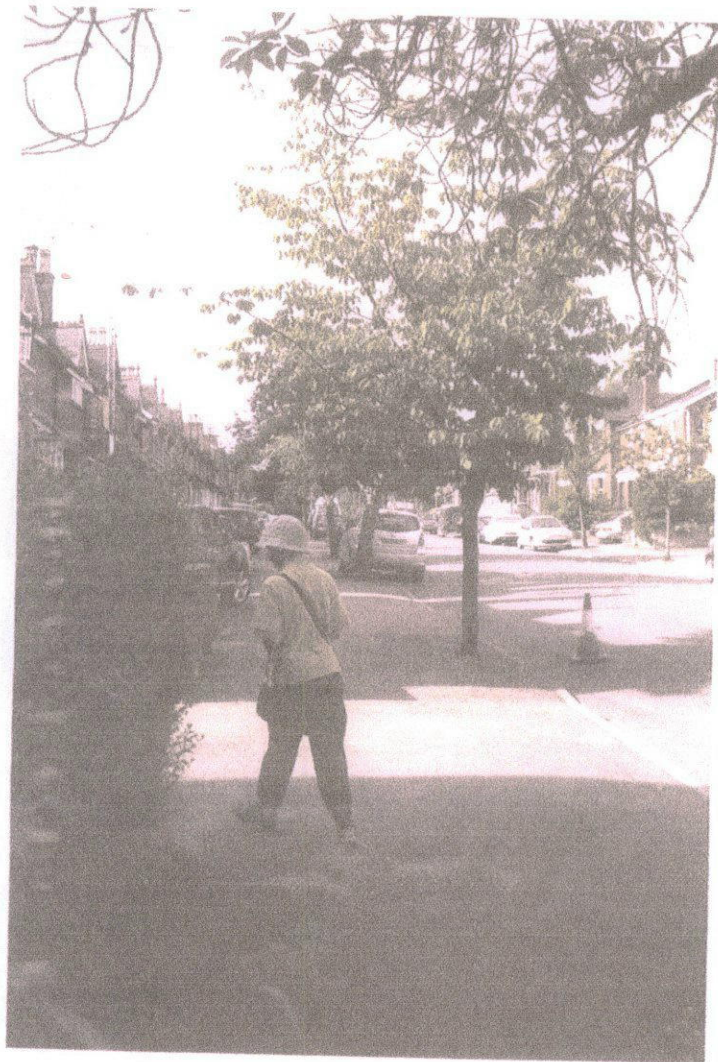
12

11 & 12



PEDESTRIAN CHILD NEAR
EXIT FROM CHURCH WALK

13



7 Copt Elm Road
Charlton Kings
Cheltenham
GL53 8AG

Chloe Smart
Planning Officer
Cheltenham Borough Council
PO Box 12
Cheltenham
GL50 1PP

9 February 2015

Dear Miss Smart

Planning application ref. 15/00058/FUL

Further to your letter of 22 January, we are writing to object to the latest planning proposal at Wells Villa, 9 Copt Elm Road, Charlton Kings. In terms of impact, location and design, this revised proposal remains totally unsuitable for the area and should be refused.

Although the application, as a revision of the withdrawn application ref. 14/00878/FUL, goes some way to addressing the objections of the Architects Panel by containing the proposed footprint and removing the first floor, it makes no acknowledgement whatsoever of the fundamental objections of both Heritage and Conservation and the GCC Highways Planning Liaison Officer, nor does it even attempt to follow the recommendations of the latter in order to gain more favourable consideration.

Our six-page analysis of specific weaknesses in the application's Design and Access Statement, the Addendum to the Planning Statement, and the original Planning Statement is attached to the end of this letter, but here we reiterate the two key areas: **highway safety** and **local amenity**.

A. Highway safety

In advising refusal of application ref. 14/00878/FUL, the GCC Highways Planning Liaison Officer wrote the following, all of which still applies to this revised application:

I recommend that this application be refused on highway grounds for the following reason(s):-.

Access

That the development fails to provide safe and suitable access in accordance with NPPF specifically Section 4 (Promoting sustainable transport) and Section 7 (Requiring good design), due to the failure to provide satisfactory intervisibility between Highway users.

Access and Car Parking

In light of the proposed development being to the rear of no 9 Copt Elm Road and within the garden to the original property from the rear of the property to the rear boundary, the opportunity for off-street car parking provision to no 9 Copt Elm Road will be removed.

The development fails to provide suitable access and parking for both no 9 Copt Elm Road and the proposed new dwelling under Gloucestershire County Council Highways Development Co-ordination Standing Advice Proposed or Existing residential Development comprising 5 dwellings or less and in accordance with the Development Plan policies and other material consideration, including the National Planning Policy Framework related to car parking.

Even though the Planning Statement still fails to mention them in its planning history, you will be aware that the two previous applications for a dwelling to be built in the back garden of 9 Copt Elm Road were refused on the following grounds:

1. 80/00280/PO
 - a. 'conditions detrimental to the amenities of surrounding properties'
 - b. 'existing access inadequate to satisfactorily cater for further development'
 - c. 'increased traffic would not be in the interests of highway safety'

2. 84/00479/PO
 - a. 'undesirable form of backland development served by inadequate access ... insufficient to satisfactorily cater for further development'
 - b. 'increased traffic would not be in the interests of highway safety'
 - c. 'inconvenience and disturbance to occupiers of nearby dwellings'

Then, in 2004, with reference to policies TP127 (now TP1 'Development and Highway Safety' in the Cheltenham Borough Local Plan 2nd Review 2006) and TP129 (now TP2 'Highway Standards'), the GCC Highways Planning Liaison Officer recommended that a similar proposal (for a dwelling stretching across the back gardens of 11-17 Copt Elm Road) be refused on the grounds that the maximum number of houses that should have access to an unadopted private drive had already been reached. Following on from this, and the objections of local residents, planning proposal 04/01529/FUL was withdrawn.

Exactly the same situation pertains to this revised application as it did to its four failed predecessors. Access is from the same unadopted road. Indeed, the access – already deemed inadequate 'by virtue of its length, width and awkward alignment' – is now even narrower, because the applicant has extended his garden's width by repositioning a section of the boundary fence further to the north.

The unadopted road which provides access to the planned dwelling is also a public footpath in regular use by all sections of the community, including a local resident who is wheelchair-bound and groups of school- and preschool-age children. An increase in traffic will only increase the risk to local people using this footpath/road. Due consideration must be given to this. Speed on Copt Elm Road has long been a concern to local residents, particularly because of the junctions with the side roads that feed onto it. Hence the siting of two new-style 30-mph speed limit signs on either side of Copt Elm Road in close proximity to the junctions with the access road, Brookway Drive, Grovelands Close and Copt Elm Close. However, the junction with the private access road (directly opposite Brookway Drive) is the most dangerous and a serious two-vehicle collision occurred in late 2013 while a car was attempting to turn right from Copt Elm Road into the access road. Visibility is limited for cars turning out and crossing the Copt Elm Road footpath, which is a safe route to the local infant school. In fact, it would be very much in the interest of road safety if double yellow lines were added to the section of Copt Elm Road immediately fronted by nos 7 and 9 Copt Elm Road (i.e. the first two houses on either side of the western end of Church Walk).

Finally, the plans for the proposed development to the site at the east end of Church Walk are not clear. (This part of the private road is not owned by the applicant.) If the unstated intention is to use this for vehicular access to serve a proposed development, then this will only increase the hazards in an already congested area of the road, which is used by even more pedestrians, walking north-south between Spring Bottom and Lyefield Road East.

B. Local amenity

The advice to refuse from Heritage and Conservation was, if anything, even more emphatic; and the revised proposal does not address its fundamental objections, because by its very location it cannot. The objection is renewed even more forcefully by the Heritage and Conservation report dated 5 February 2015:

'Analysis of Site: rear garden of No.9 Copt Elm Road with additional land "borrowed" from adjacent garden plots creating an irregular shaped, elongated plot.

'Comments:

1. The site is accessed from a narrow single width lane known as Church Walk, an un-adopted road, which extends along the east boundary of the site and leads to another footpath which links to School Road, formerly Mill Lane. Church Walk is in frequent use by pedestrians and cars accessing the houses at the rear of the Copt Elm houses.
2. The position of the proposed entrance is identifiable by a small pedestrian 'refuge' in the close boarded fencing and is visible from the public highway.
3. The site spans two garden widths and occupies approximately half the existing length of the garden.
4. This section of Copt Elm Road is laid out in narrow width plots with pairs of semi-detached late Victorian vernacular cottage type buildings.
5. At the rear of the site there are several 20thC detached dwellings set in generous sized plots. The whole area is characterised by verdant growth, soft boundaries (other than to the lane) and small scale, discrete development both historic and more recent.
6. There are a number of conservation issues and concerns regarding this development that were highlighted in an application that was withdrawn in 2014: 14/00878/FUL.
7. The main issue is the impact on the conservation area of this development.
8. **The principle of building a dwelling on this land is unacceptable** for the following reasons:
 - a. The area has a distinctive identity and uniformity, as noted in the conservation area appraisal, characterised by a structured and formal plot layout with strong building lines adjacent to the road and rear gardens that are uniformly linear.
 - b. The layout of the gardens is an important and significant element of the conservation area and their contribution is both historic and environmental. Building on a large part of the gardens will distort an understanding of the historic development of the area. The retention of gardens and the discouragement of 'garden grabbing' is a local and national policy objective that recognises the contribution that green spaces make to the special character and enjoyment of an area.
 - c. The scale of the proposed building, in terms of its' large footprint, unlike any other building in the vicinity does not complement or respect existing development in the area and is regarded as over-development that should be resisted.
 - d. The proposal would destroy the established urban grain by positioning a building in an incongruous location in relation to the existing development pattern.
 - e. Contrary to the assertion in the accompanying Design & Access Statement the development will be very visible from the public realm as due to the precarious nature of the

vehicle entrance opening onto Church Walk, the boundary enclosure has been lowered in an attempt to improve the visibility of other users of the lane to drivers accessing the proposed building. A large part of the West elevation will now be visible from Copt Elm Road.

f. The design and material specification for the building is utilitarian at best and lacks a residential character and therefore conflicts with local policy that requires a high standard of architectural design that reflects principles of urban design that complements and respects neighbouring development and the character of the locality.

g. The proposal fails to preserve or enhance the St. Mary's Conservation Area and is therefore contrary to primary legislation, local plan policy and the NPPF which requires local planning authorities to sustain and enhance heritage assets such as conservation areas (par.126) and encourages the view that great weight should be given to an asset's conservation (par.132) and that new development should make a positive contribution to local character and distinctiveness (par.126).

'SUMMARY: the principle of the proposed building in this location is of serious conservation concern and this application represents over-development and land-grabbing with no demonstrable public benefit and should be resisted.

**'CONCLUSION:
Refuse.'**

Backing up these conclusions, English Heritage guidance on Conservation Areas states:

'Local planning authorities are obliged to designate as conservation areas any parts of their own area that are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance.'

It is still the case that neither the Design and Access Statement nor the Planning Statement nor its Addendum addresses the key issue regarding the site in relation to the Conservation Area Appraisal and Management Plan. As Cheltenham Borough Council's own conservation officers point out, the back gardens of the cottage-style properties fronting the east side of Copt Elm Road and running south from no. 9 are specifically included in the conservation area because they are important examples of 'historic plot boundaries', and the council has decided these should be conserved. This proposal would destroy what is thus meant to be preserved, and encourage other developers to do the same in this locality and elsewhere. By not harmonising with the area's special architectural and visual qualities, this proposal neither preserves nor enhances the character or appearance of the St Mary's Conservation Area, which is a designated heritage asset; in fact, the proposal is positively harmful.

Action SM1 of the Conservation Area Appraisal and Management Plan 'requires that new development shall preserve or enhance the character of the Conservation Area.' This part of the conservation area is defined by its turn of the 19th/20th century housing and their historic plot boundaries. The conspicuous contemporary design of the proposed dwelling, covering a huge proportion of the plot, is at odds with the homogenous and well-preserved historic character of the area, which the Conservation Area Appraisal describes as a 'visually distinctive group'. The flat, square design of the proposal will contrast negatively with pitched roofs of the conservation area, as will their different materials. Page 30 of the Appraisal already regrets 'poor quality modern developments'. The new building would be highly visible not only from several neighbouring houses but also from the much used public footpath which runs in front of, and alongside, the property.

In addition:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.'

(National Planning Policy Framework paragraph 128)

Even if the proposal might not 'lead to substantial harm to or total loss of significance of a designated heritage asset', as outlined in paragraph 133 of the NPPF, paragraph 134 applies:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

There are no public benefits to building on a garden in this much cherished and much frequented part of the conservation area.

Furthermore, Cheltenham's SPD policy on garden development still stands. Policy GE2 'Private Green Space' (objectives O12 and O18) states: **'The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.'** This is further supported by the NPPF: **'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'**

The photograph on page 6 of the proposal's Planning Statement is still misleading. It implied that development of the site would be an improvement on its current state. Until recently this site was part grassed garden, part cultivated vegetable plot. Paragraph 130 of the NPPF would seem to apply here: **'Where there is evidence of deliberate neglect or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.'** Its current state is due to neglect, and the applicant's use of it as a dumping ground for rubbish and as a site to burn waste (illustrated in the photograph below, 10th December 2014) following the recent extension (planning reference 13/00391/FUL, also mentioned on page 6).



You will also remember, though again the applicant does not mention it in the planning history, that application reference 12/01718/FUL at 9 Copt Elm Road was withdrawn because planning officers judged the design and size unacceptable.

The objection of the Parish Council to the original application sums up the attitude of many local residents and remains pertinent to this revised application:

'Our policy states that we seek to maintain the unique character of Charlton Kings and avoid inappropriate design. This is especially important in the St Mary's Conservation Area which includes 9 Copt Elm Road. The proposed design is out of keeping and does not preserve the Conservation Area; its contemporary, box-like design is unsuitable in our view.

We also resist and object to cases of 'garden grabbing' where these impact adversely on neighbours' quality of life or the overall environment. This application is in our view undesirable over-development, impacting negatively on several neighbours, in a traditional, old part of Charlton Kings.

Of some concern also is the potential increase in conflict between pedestrians and vehicles in what is essentially a very popular footpath, heavily used by parents and children going to local primary schools. Additional traffic would be a disbenefit to the wider community.'

For these many reasons we trust that the planning department will refuse this development.

Yours sincerely



Response to the Design and Access Statement (reference 15/00058/FUL)

3.0 Site analysis

Local Building Types

The surrounding buildings are a mix of ages and styles... – irrelevant statement: the site is within a conservation area of visually distinctive and unified character

Site Access

There will be sufficient space for a vehicle to turn around on the site thus ensuring that vehicles will leave the site and access the public highway in a forward gear. – misleading statement: the developer fails to acknowledge that there are already two off-road parking spaces that back directly onto the site's proposed entrance, and sight of vehicles coming from the east will be minimal. The same comment applies to **9.0 Highways**

Surrounding Trees

The boundary to the South of the site is heavily tree lined with conifers. In preparing this application we have ensured that the proposed scheme doesn't require the removal of any of the existing trees that form the site boundary. – misleading statement: the laying of foundations so close to the south of the site will cause severe damage to the root system of the dense conifer hedge belonging to 15 Copt Elm Road

Photographs

The three photographs top right and bottom left and right represent a cynical attempt by the developer to show that any building on the site would be an improvement. Since 9 Copt Elm Road is soon to be rented out on a long-term let, the majority of the building waste was removed some time ago – either burnt up in situ or cleared away by skip.

5.0 Proposed scheme

Form

Central within the plan form there is an atrium space which has an increased ceiling height to allow high level windows to allow more daylight and natural ventilation to enter the dwelling. – misleading statement: the high level windows will cause light pollution to the detriment of the immediate neighbours' amenity.

12.0 Conclusions

The proposal represents an appropriate form of development for the site providing a high quality dwelling appropriate to the site context and local area and landscape. – incorrect statement: sitting within the St Mary's (Charlton Kings) Conservation Area, the proposal represents an entirely inappropriate form of development at odds with the character and appearance of the local area.

This statement has demonstrated that the proposal is consistent with relevant policies of the local plan, and all other material considerations. – incorrect statement: the proposal runs directly counter to policy CP7 and GE2 of the Adopted Cheltenham Borough Local plan.

The scheme has been developed to accord to our design principles that were set out at the start of this document. Our overriding objective with regards the development of a scheme for this site has been to ensure that the proposed dwelling works with the site to create a home that is of an exceptional quality and minimal impact on the site. – misleading claim: the impact on the distinctive character and appearance of the conservation area will be far-reaching and irreversible.

Response to the Addendum to the Planning Statement (reference 15/00058/FUL)

3.3 'Finally, the access to the site was adjusted to improve visibility and to satisfy highways comments received during the previous application process.' – misleading claim: the following highways comments on visibility are not satisfied by the proposed access to the site:

'Visibility

When turning left or right onto Church Walk, for a speed limit of 20mph the visibility standard requiring is 22m or for less than 12mph the visibility standard requiring is 12m.

'The site presents satisfactory visibility standards when turning left onto Church Walk, however visibility standards to the right are substandard and are not satisfied when turning right onto Church Walk.

'The site will need to meet the satisfactory visibility standards when turning right onto Church Walk as stated above.

'The above visibility standards will also be required to be met for turning right and or left onto Church Walk from the property known as No 9 Copt Elm Road.'

What is more, the following written highways recommendations are nowhere adequately dealt with:

'Access

The vehicular access will need to be constructed in accordance with Gloucestershire County Council; Highways Development Co-ordination Standing Advice Part 3.

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement with the County Council before commencing those works.

The pavement reinstatement will need to be of a bound material similar to that already existing.

It is noted from the submitted drawing that the drive will be paved in gravel; therefore an appropriate method of material separation between the drive and the pavement will be required to prevent any drive material egress from the drive onto the pavement and or highway.

The above will also be required to be met for access to the property known as No 9 Copt Elm Road.

'Parking Arrangements

Details showing adequate onsite parking provision; for the proposed development, being to the rear of No 9 Copt Elm Road and within the garden to the original property and adequate onsite parking provision for no 9 Copt Elm Road negating the need to park

vehicles on the highway and provision of a suitable vehicle turning area to be provided to ensure vehicles will not require reversing into and out of the site onto Church Walk.'

Response to the Planning Statement (reference 14/00878/FUL)

2.4 'at the eastern end, greater variety exists in the form, size and style of dwellings' – irrelevant statement: the area referred to, and all the buildings cited, fall outside the St Mary's (Charlton Kings) Conservation Area (as the map under 2.2 clearly shows).

2.4 'The proposal would therefore not be out of place in terms of the established, and varied urban grain of the locality.' – misleading claim: this conclusion is invalid (see above).

2.4 image 'showing how it would benefit from development it [sic] terms of its general character and appearance' – misleading statement: the site was until very recently a combination of grassed lawn and cultivated vegetable/fruit garden; the site was in that state out of neglect on the part of the applicant who used much of it as a dumping ground for rubble, etc. and as a site for burning waste after the extension work on 9 Copt Elm Road in the second half of 2013. Paragraph 130 of the National Planning Policy Framework applies: **'Where there is evidence of deliberate neglect or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.'**

2.5 'Views of the site are not readily available from Copt Elm, [sic] Road' – inaccurate statement: a building on the site will be visible from sections of both Copt Elm Road *and* Brookway Drive.

2.5 'the site is currently screened to the proposed access drive and Church Walk by well-established trees and vegetation and a solid boundary fence' – inaccurate statement: a building on the site will stand proud of the boundary fence which fronts a public footpath, and any trees and vegetation will not provide screening year-round

3.0 **Planning History** – incomplete record:

1. 80/00280/PO: permission for a dwelling in the rear garden of 9 Copt Elm Road refused
2. 84/00479/PO: permission for a dwelling in the rear gardens of 9 & 11 Copt Elm Road refused

3.1 'Planning permission was granted in May 2013 under planning reference 13/00391/FUL' – incomplete record: no mention is made of planning reference 12/01718/FUL which was withdrawn because both design and size were judged unacceptable by planning officers.

4.1 'it will make a most positive contribution to the character of the area' – inaccurate claim: this proposed new development shall neither preserve nor enhance the historic and visually distinctive character of this part of the Conservation Area.

4.1 'through a high quality and innovative design approach' – irrelevant statement: the design does not harmonise with the homogenous character of the buildings in the area, which the Conservation Area Appraisal describes as a 'visually distinctive group'.

4.7 'permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (when judged against the NPPF as a whole), or if specific policies in the NPPF indicate development should be restricted (paragraph 14 of the NPPF)' – incomplete appraisal: in relation to designated heritage assets (such as this Conservation Area) NPPF paragraph 128 reads: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.' Even if it is questioned whether the planned development would 'lead to substantial harm to or total loss of significance of a designated heritage asset' as outlined in paragraph 133 of the NPPF, paragraph 134 still applies: '**Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.**' There are no public benefits to this proposal; it is simply a case of a developer trying to maximise private profit regardless of the wider impact on the community.

4.8 (see also 4.16) 'housing applications should be considered in the context of the presumption in favour of sustainable development' – irrelevant statement.

4.10-4.15 *The Local Plan* – misleading appraisal: Local Plan Policy TP1 (Development and Highway Safety) states:

Development will not be permitted where it would endanger highway safety, directly or indirectly, by:

- (a) creating a new access, altering an access or increasing the use of an existing access on to the main highway network, or at other points where it would be hazardous to highway users, unless a satisfactory improvement has been carried out; or**
- (b) generating high turnover on-street parking.**

Under TP1(a), this application should not be permitted. Indeed, was the applicant given approval for the new access when it was created onto what is an (unadopted) public highway in 2010?

4.17 'The proposal will provide for a very well designed dwelling' – irrelevant statement.

4.18 'As a 'residential garden site' it is acknowledged that this should be weighed up alongside the advice at paragraph 53 of the NPPF' – incomplete appraisal: Local Plan Policy GE2 (Private Green Space) states:

The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted.

Note 1

See also policy CP 3 (sustainable environment).

Note 2

The fact that a site is the most cost-effective development option for the applicant is not justification for an exception to policy GE 2, nor is the present lack of an alternative site.

Note 3

In determining whether a green space has a significant townscape and environmental value, the Council will have regard, among other factors, to its contribution to the following:

- (a) the spacious character of the town;**
- (b) the quality of the local townscape;**
- (c) the established character of the locality;**
- (d) the setting of an important building or group of buildings;**
- (e) important landmarks, views and vistas within and out of Cheltenham;**

This list of considerations is not intended to be exclusive.

Under GE2, this application should not be permitted. See, in particular, Note 2 and 3(c)-(e).

4.20-22 *The Councils [sic] SPD*

Question C1 – ‘The application site is essentially hidden from public [sic] view’ – inaccurate claim: the building will be clearly visible from the access drive which is a public footpath and, though part-owned by the applicant, is an (unadopted) public highway. It will also be viewed from houses fronting Copt Elm Road and those along Church Walk.

Question C2 – ‘there is no undue negative on any feature which might contribute to the character of the locality’ – inaccurate claim: the development will have a negative impact on existing biodiversity and will destroy historic plot boundaries.

Question C3 – ‘the scheme responds excellently to the site and its context’ – inaccurate statement: the scheme does not harmonise with the visually distinct housing in the Conservation Area and destroys the historic plot boundaries.

Question C4 – ‘not in any way at odds with the character of the area’ – inaccurate statement (see above).

Question C6 – ‘The proposal does respect existing development patterns in the block’ – inaccurate statement (see above).

Question C7 – ‘The proposed dwelling has been positioned in such a way as to not have any undue impact on the surrounding neighbouring properties’ – **misleading statement: the development will in no way harmonise with the visually distinct group of housing in the Conservation Area.**

Question C8 – ‘One additional dwelling will have no material impact’ – **incorrect statement. How can the addition of a material property have no material impact?**

Question C9 – ‘As already set out, the properties within the immediate area are mainly semi-detached and detached dwellings. Whilst this part of Copt Elm road is fairly uniform in character, it does not extend to the whole of the road, with a variety of housing styles found at either end, and greater variety located within the immediate surroundings of the proposal within Church Walk.’ – **irrelevant statement: the proposed dwelling must be compared to what is within the Conservation Area.**

Question C10 – ‘The dwelling will sit relatively low within the site and has a height and mass that will be unobtrusive, with a high quality contemporary design that will complement and respect existing development in the area.’ – **inaccurate statement: the proposed dwelling would be highly visible and completely at odds with the Conservation Area it would stand within.**

Question C13 – ‘There is large variation to the architectural style locally. Great variety exists, with buildings of different heights, ages and styles.’ – **incorrect statement: the part of the Conservation Area within which the proposed dwelling would be sited is of a visually distinct and historic character.**

Question A1 – ‘The height of the dwelling together with the carefully placed window openings ensure there is no overlooking to neighbouring properties.’ – incorrect statement: the building would directly overlook 4 Church Walk – its bedrooms, conservatory and garden – as well as other neighbouring properties.

Question AP3 – ‘Proposed parking and turning areas are also arranged in a way that will not be harmful to neighbours’ amenity’ – **incorrect statement: the access from the property is at a very awkward alignment with limited visibility to users coming from the east, and opens directly onto two other established parking areas across the private road.**

Question AP4 – ‘It is safe and convenient for all road users.’ – **incorrect statement: see above.**

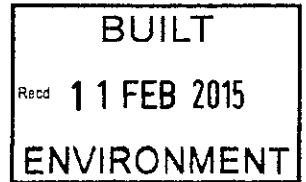
Conclusion

5.1 ‘The scheme respects neighbouring development and the character of the locality. The proposal also acknowledges its position by being subservient to many of the surrounding buildings, and does not compromise the amenity of neighbouring residents. In these respects the proposed development is entirely acceptable.’ – incorrect claim: the scheme shows no respect for the character of the locality, would be an incongruous addition impacting negatively on the neighbourhood, and compromising the amenity of neighbours. In all these respects it is entirely unsuitable.

5.2 As has been demonstrated by this response to the particulars of this Planning Statement, the application is a) wholly contrary to the relevant policies of the Council’s SPD and the NPPF, and b) shows no respect whatever for the priorities of the St Mary’s (Charlton Kings) Conservation Area Appraisal and Management Plan.

5.3 Far from offering their support, planning officers should therefore refuse the application forthwith.

**7 SANDFORD MILL ROAD
CHELTENHAM
GLOUCESTERSHIRE
GL53 7QH**



8th February 2015

Miss C Smart
Built Environment
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

Dear Miss Smart

**PLANNING APPLICATION – ERECTION OF A SINGLE STOREY DWELLING AT 9
COPT ELM ROAD, CHARLTON KINGS. REFERENCE NUMBER: 15/00058/FUL**

I lived at 9 Copt Elm Road with my son from May 2002 until May 2010. I would like to, again, object to the above planning application. My objections remain the same, but I would like to reiterate the points that I feel so strongly about.

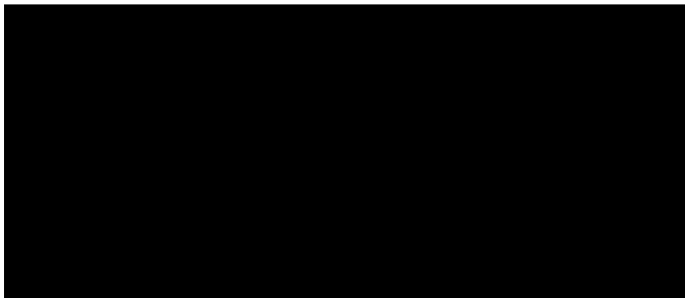
- **Environment and conservation** : I understand the proposed site it still part of the St Mary's Conservation Area, so quite why this proposal is being considered is beyond me. Until the time when I sold the property to the present owners, the garden owned by me and the then owner of the plots/s at 11 Copt Elm Road, was under cultivation and was a haven for wildlife. There were frogs, toads , foxes and numerous winged insects, birds and I regularly heard an owl. I do not feel that the new development will enhance the wildlife habitat. It will, I feel, harm it beyond repair and take out of production valuable land capable of being used for food production.
- **Traffic** : As I lived at number 9, I was able to be aware of the amount of footfall and vehicular traffic moving up and down Church Walk as my kitchen window faced onto it. Many children, both on foot and on bicycles and scooters, as well as Mothers' with small children on foot and in prams, used Church Walk as a route to the local village school. Also, the path was used by many dog walkers (myself included) and adult cyclists. I am concerned traffic in such a narrow space, which was at times, congested due to lack of any space to pass.

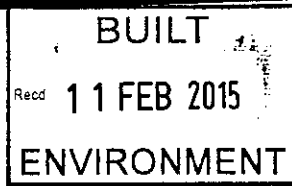
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- There are no public raised footpaths in Church Walk, or curbs at the end of it where it meets the busy footpath on the public highway at Copt Elm Road.
- Pedestrians walking and cyclists riding North/South up and down past the front of the Villas at the junction of Church Walk and Copt Elm Road are not always aware of vehicles emerging from Church Walk. This applied particularly to children travelling downhill on scooters and bicycles from the direction of Lyefield Road to the South.
- Due to the lack of general off road parking in the area, many mothers with school age small children park in Copt Elm Road, both in the morning and evening, when taking them to school only a few hundred yards away. This adds to the congestion around the junction and causes problems with vehicular sightlines onto the public highway.
- **Visual Impact** : The proposed new building is not at all in keeping with others in the **Conservation Area** which are mainly Victorian/Edwardian. Its modern design will, in my opinion, detract and degrade the present and very important rural village feel of this part of Charlton Kings.

I appreciate you taking the time to read my objection.

Yours sincerely





6 Lyefield Rd East
Charlton Kings,
GL53 8AY
9 Feb 2015

Miss Chloe Smart,
Planning Officer,
Cheltenham Borough Council,
PO Box 12
Cheltenham GL50 1PP

Dear Miss Smart,

Planning Appn. ref 15/00058/FUL

Further to your letter of
22nd Jan. we are writing to object to the
latest planning proposal at 9 Gopr Elm Road,
Charlton Kings.

These revised plans, do not address
the issues on which we previously

objected to this planning application.
These issues were on two grounds:

1. Highway safety - The existing access is inadequate to satisfactorily cater for further development. Increased traffic will only further exacerbate what is already an unsafe highway.
2. Conservation area - We know this area very well as we live locally, and regularly walk with our family around it, enjoying the special character of our village environment. We consider the location and style of the planned dwelling does not fit in with this historic conservation area.

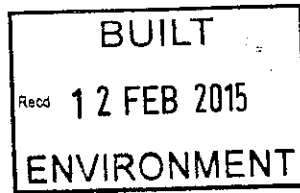
These concerns were upheld by the reports filed from the Highways Officer and the Conservation Officer. The Highways Report has not been addressed, and the Conservation report has also not been addressed. The conservation report furthermore records that the site is already over-developed.

Yours sincerely,



M. Redman Esq.,
Director of the Built Environment,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham,
Glos. GL50 1PP

37 Leighton Road,
Cheltenham,
Glos. GL52 6BD



10th. February 2015

Dear Sir,

**Erection of 1No.dwelling at Wells Villa, 9 Copt Elm Road, Charlton Kings,
Cheltenham, Gloucestershire. GL53 8AG - ref No. 15/00058/FUL**

Thank you for your letter dated 22nd. January informing me of the above application. I wish to record my objection to the above proposal.

I should state that I regularly walk along Church Walk from Copt Elm Road now with my 5 year-old and 3 year-old sons. We enjoy the quiet rural nature of the area and playing around the forded river.

This application, although slightly smaller in area than that of the previous application in June 2014, contravenes in every way the principal reasons for my previous objection. My specific grounds for objection are:-

1. Environmental Impact.

The long rear gardens of the properties along Copt Elm Road and extending to Church Walk form an extensive area of well-tended flower and vegetable gardens and with margins of less-well- tended land all of which are a haven for a wide variety of wildlife including frogs, butterflies and various bird species. Importantly, I have been informed that badgers have been observed in the garden of 27 Copt Elm Road which, if confirmed, would add significantly to the importance of this area and would militate against any development of the area.

My main reason for objection is that this entire area is designated a Conservation Area because of the special horticultural use and its wildlife, and any new house in this conservation area is totally unacceptable

The proposed development would greatly and adversely impact on this valuable Conservation Area and would be against the main principles upon which the Conservation Area status was created.

The site of the proposed development has already been allowed to become a tip for building materials and rubble following the building of the existing house extension when once it had been a well-tended garden.

Apart from my principle objection to any development on this site, the proposed design is, in my view, totally out of character with the surrounding dwellings.

2. Pedestrian and Road Safety

On our visits to Church Walk and the "splash" (I believe the local name for the river ford), we encounter many pedestrians particularly families with young children using the Public Footpath.

With 40 years experience as a highway engineer, I consider Church Walk, alongside the proposed development and to its junction with Copt Elm Road, to be totally unsuitable on safety grounds for the existing vehicular traffic let alone any additional vehicular movements generated by the proposed development.

Church Walk is narrow without any segregation of pedestrian and vehicular traffic. There are no verges for pedestrians to use in an emergency. There are no passing places for contra-flowing traffic. Therefore any increased pedestrian/vehicular conflict would create significant further dangers particularly to children.

This revised application appears to have ignored completely the comments of the Highway Authority on the previous application. No change has been made to the access position or geometry particularly in relation to visibility to the right when exiting the site.

At the proposed vehicular access to the site, there is no visibility along Church Walk to the right for vehicles exiting the site. Only when the vehicle is fully onto the Public footpath is visibility achieved. The appropriate visibility standard must be provided to right and left when exiting the site regardless of which way a vehicle may be turning.

At Church Walk junction with Copt Elm Road, visibility for vehicles exiting Church Walk in both directions is virtually nil because unrestricted parking in Copt Elm Road on each side of Church Walk necessitates exiting vehicles to move out unsighted onto Copt Elm Road before any visibility is achieved. Excessive traffic speeds on Copt Elm Road are of great concern to both residents and police who have implemented several speed-check exercises in the recent past.

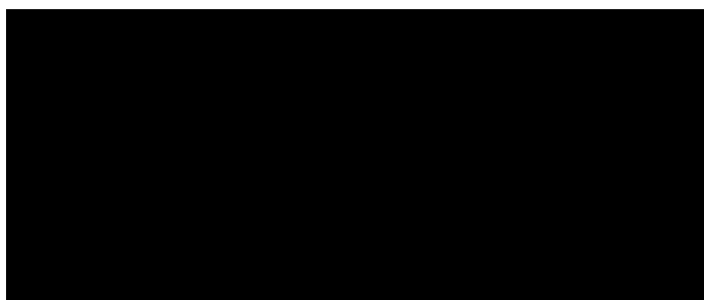
Furthermore exiting vehicles have severely restricted visibility of pedestrians using the Copt Elm Road footpath.

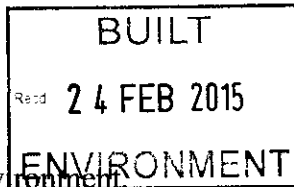
This is not a safe junction under present conditions either for pedestrians or vehicles. Any additional development will cause further risk to road safety.

In conclusion, I must say that I am troubled by the numerous references in the Application's Statements to the non-compliance with the Council's requirements. Obviously it seems that there has been very close involvement by the Council's case officer but such involvement cannot address the critical issue of development within the Conservation Area nor the Highway safety aspect. The Application Statements seem to suggest that approval will be forthcoming and it is a "done deal"

I earnestly request, therefore, that this application be taken to the Planning Committee for a decision and not left to officers' delegated powers.

Yours faithfully,





M. Redman Esq.,
Director of the Built Environment,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham,
Glos. GL50 1PP

[REDACTED]
37 Leighton Road,
Cheltenham,
Glos. GL52 6BD

24th. February 2015

Dear Sir,

**Erection of 1No.dwelling at Wells Villa, 9 Copt Elm Road, Charlton Kings,
Cheltenham, Gloucestershire. GL53 8AG - ref No. 15/00058/FUL**

Further to my letter of objection to the above proposed development and dated 10th. February, I have, today, spoken to your Ms. Smart regarding the absence of any Highways Authority comment on- line.

She informed me that the Highways Authority is presently in consultation with the applicant asking for information about highway visibility along Church Walk public footpath when vehicles exit the proposed site.

I understand from Ms. Smart that the applicant is considering the lowering of the existing 6 foot boundary fence alongside the development site in order to achieve the necessary visibility along Church Walk.

I would be very concerned about such a measure should the Highways Authority accept it as a solution to the serious road safety issue presented by the existing proposal.

My concern is that there would be nothing to prevent the present or future owners of such a dwelling from planting a hedge or line of trees or erecting anything which might reduce the visibility back to its present state of ZERO. Covenants or written conditions in any planning consent are, as we well know, are difficult and costly to enforce.

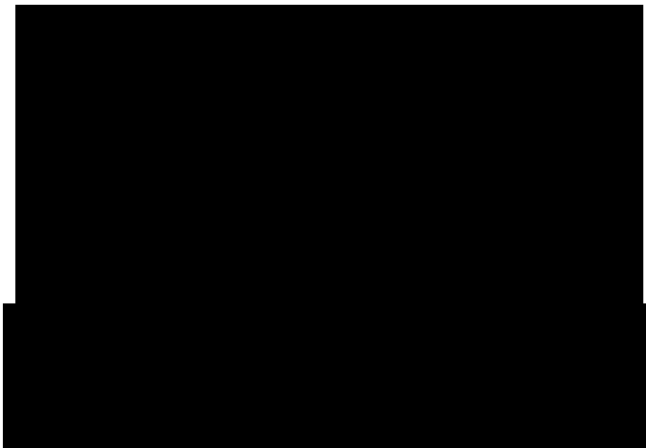
The only way to ensure maintenance of visibility lines would be for the applicant to set back the boundary fence to the correct splay line and to Dedicate legally the ownership of the land within the splay to the Highway Authority. Only then could control be achieved to protect this critically important highway safety feature. You will know that this is a well-established procedure in planning considerations.

Having expressed my feelings on the above, I must say that the matter of site access

safety is only part of my objection to the proposed development for the matter of vehicular visibility at the junction of Church Walk with Copt Elm Road is, in my view, of greater importance since it would involve far greater numbers of vehicle movements when considering the high volumes of fast traffic on Copt Elm Road. Here, I do not see how the Applicant could have any power to improve this road safety hazard.

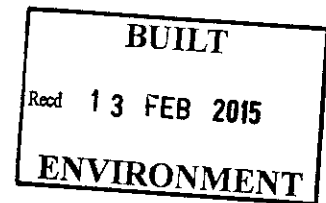
In conclusion, I am aware that your time limit for submissions on this proposal has passed but as this information has only just come to my attention, I would ask that this further submission be considered as an addendum to my formal response dated 10th. February.

Yours faithfully,



Cheltenham Borough Council Management / Admin			
PASSED TO			
REC'D	25 FEB 2015		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

114 Hewlett Road
Cheltenham
GL52 6AT



Mike Redman
Director, Built Environment
Cheltenham Borough Council
PO Box 12
Cheltenham
GL50 1PP

12th February 2015

Dear Mr Redman

Planning application ref. 15/00058/FUL

Further to your notice displayed on site and in addition to my objection to the previous application ref. 14/00878/FUL, I would like to register my objection to this revised application.

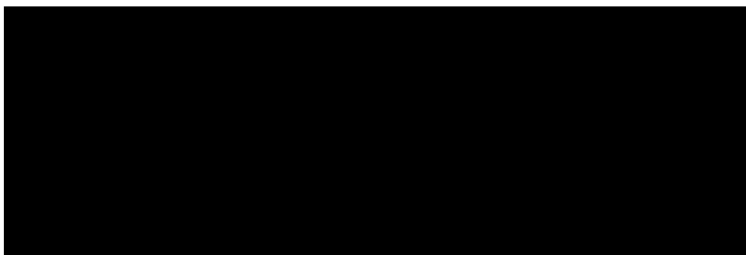
It may be for a single- rather than a two-storey dwelling, but it is still located in a back garden and still represents a piece of self-serving land-grabbing with no public benefit whatsoever. I notice that this is also still the opinion of your colleagues in Heritage and Conservation.

I know this area well because my children used to attend school in Charlton Kings, and we enjoyed the tranquil nature of the village environment and its special character.

If this application goes ahead, I am very worried about the increase in risk to the safety of the pedestrians who use the footpath we know as Church Walk. The access is already very narrow and awkward.

In addition, the location of the planned dwelling will ruin this part of the St Mary's Conservation Area, which I believe is a designated heritage asset because of its visually distinctive housing and historic plot boundaries.

Yours sincerely





62 Laker Court
Studley Road
Stockwell
London SW4 6RY

Mr Mike Redman,
Director, Built Environment,
Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
Promenade,
Cheltenham, Glos GL 50 1PP

6th February 2015

Dear Sir,

Re: Proposed Erection of one dwelling at Wells Villa at 9 Copt Elm Road – 15/00058/FUL

I live in London, but for the last 30 years, have been a regular visitor to Charlton Kings, staying in Copt Elm Road.

I have seen a planning application at the above address and wish to give my views on this proposal.

I registered my views on the original application for this address and am forwarding these comments on the new application. I cannot see that there has been any real substantive change in the application, but have added further observations, (I have italicised my original comments).

Building and Environment

Having looked at the proposed elevation and section document, the proposed building does not appear to be in keeping with the other homes in the area and the local environment.

- Although the height of the proposed new building has been lowered, it is still high enough to be visible seen from both Church walk and the public (unadopted) path/lane running from Copt Elm Road to the junction of Church Walk behind the site and will be seen by members of the public.
- The new build will clearly be seen from the back of the houses at the bottom of the lane on the North and East sides. Considerable light pollution will be caused to neighbours at night by the atrium lights which are situated at a height of 3 meters.
- The materials to be used (as in the previous application) are totally out of keeping with the largely red brick residences, mostly built in the Victoria/Edwardian style. The whole design is unsympathetic to the area, which is part of the St. Mary's Conservation Area.

The design is completely out of keeping with the area, resembling the new, 'acrylic cube' constructions frequently seen on industrial estates in and around London.

Public Access and Traffic

- *The public footpath which runs alongside the property, 9 Copt Elm Road, is narrow and has a dog-leg bend at its halfway point. It is in constant use by residence for access to their homes and by children and parents for access to the school. Children with bicycles, mothers with pushchairs, frequently use it and occasionally people in wheelchairs. Walkers, like myself use it to access Church Walk at the back of the houses in Copt Elm Road.*
- *There are no pedestrian pavements and no room for pedestrians and vehicles to pass safely. Should a vehicle attempt to pass a pedestrian, then the pedestrian will be forced into a hedge or a fence. Access for construction vehicles and materials is seriously restricted.*
- In addition:
the present proposal removes the parking spaces for the existing No 9 Copt Elm Road property. This will cause further parking problems in the area of Copt Elm Road near to its junction with the lane leading to the development.
- Already, there are considerable traffic hazards created by parking of large vehicles in the area which has prevented a sight line for drivers emerging from the lane into Copt Elm Road, which is a busy road and, very importantly, a public transport route, with buses every half hour during most of the day.
- Also, it is inevitable that the construction traffic will create a greater volume of traffic parked on the Copt Elm Road at the end of Church Walk, thereby restricting views of oncoming traffic (private cars and buses) for anyone wanting to cross Copt Elm Road from the footpath.

In the 2014 application (14/00878/FUL), comments were made by the Highways expert who recommended a refusal of the plans. None of the issues he raised seem to have been addressed in the current 2015 application.

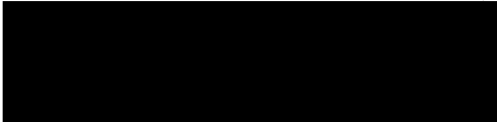
Conservation

Being a member of an historical group in London, I take a great interest in the fact that Charlton Kings (St Mary's) is a conservation area and that the gardens in the area of Copt Elm Road are in fact, 'listed' as gardens of "special historic interest as examples of Victorian cottage gardens".

The collection of gardens bounded by Copt Elm Road, Lyefield Road and Church Walk, are long established and originally developed for food production. Any disturbance to this exceptional and very old example of rural, Victorian cottages gardens, would naturally have a detrimental impact on the flora and fauna in this Conservation area.

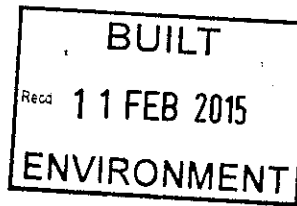
A recent report by the Conservation expert filed in connection with this current application has concluded that the impact of this development would be of serious conservation concern and should be resisted.

Yours faithfully,



Fritwell, Copt Elm Road, Charlton Kings, Cheltenham. GL53 8AG

Miss Chloe Smart
Cheltenham Borough Council
PO Box 12
Cheltenham
GL50 1PP



9th February 2015

Dear Miss Smart

Erection of single storey dwelling at 9 Copt Elm Road, ref. 15/00058/FUL

I am writing to object to the above revised planning application on the grounds of Conservation and Safety.

The project is not an appropriate development in the St Mary's Conservation Area. The management plan of the Conservation area sets out that any development must preserve or enhance the area. May I reiterate this proposal does neither of these. Once again, the design is in contemporary style and is utterly out of keeping with the area -- particularly the row of Edwardian Cottages behind which it would sit. These constitute a row of historic cottages and gardens which accounts for their inclusion in the conservation area. Building on this site would break the historic plot boundaries and which the inclusion in the Conservation area has sought to preserve. To say that the dwelling would not be visible from Copt Elm Road is incorrect, it would. It would also be viewed from Church Walk - a public footpath which runs in two directions and from the surrounding houses -- indeed it seems this proposal would be even more exposed than the previous design and so it would be highly visible and incongruous in the setting. In addition, to say that the height of the building is 2.4m is misleading as it is clear the proposed Atrium will be exceed this height and with planned glazing will cause light pollution. The erection of ANY dwelling on this sight would break up, in one swift move, a historic corner of Charlton Kings which has been designated as worth preserving.

One side of the public footpath is also an access road used to reach houses beyond the proposed development. Adding another property would increase traffic to the lane and therefore increase the risk to members of the public of which I am one. In addition to this the access road also crosses the Copt Elm Road footpath where there is limited visibility for cars joining either Copt Elm Road or turning into Church Walk. This is used as a safe route to school for the local nurseries and infant school - increasing the traffic over this footpath increases the risk of a serious accident. It should be noted that the Highways officer in his previous report on this application deemed this access road unsuitable in its current condition, indeed stated the visibility levels when turning into Church Walk were sub-standard, indeed, his recommendation was that a development should be refused. I do not believe that the visibility levels have changed.

Above all this proposal does not represent Cheltenham's Supplementary Planning Document Policy (2009) which states that 'The development of private green areas, open spaces and GARDENS, which make a significant townscape and environmental contribution to the town will be resisted'. This is a garden that used to be well-tended; it is now neglected while attempts to develop it have been made. There is absolutely no public benefit to this proposal. It is an inappropriate and opportunist development of a garden, within a row of cottages which form a distinctive heritage asset, it is in our much-loved conservation area and it should be resisted in order to maintain the unique character of the area. Development must be refused.

Yours faithfully


cc Charlton Kings Parish Council