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| APPLICATION NO: 16/00166/FUL | OFFICER: Mrs Lucy White |
| DATE REGISTERED: 5th February 2016 | DATE OF EXPIRY: 1st April 2016 |
| WARD: Battledown | PARISH: Charlton Kings |
| APPLICANT: | DavMay 30 Ltd |
| AGENT: | Evans Jones Ltd |
| LOCATION: | Ryeworth Inn, 60 Ryeworth Road, Charlton Kings |
| PROPOSAL: | Alterations and conversion of existing public house (part) to form a single dwelling and erection of two new dwellings |

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a public house, known as the Ryeworth Inn, which has ceased to trade and is currently unoccupied. The main two storey pub building fronts both Ryeworth Road and Hambrook Street with a customer car park and a number of off-road parking spaces accessed from Ryeworth Road. A large Oak Tree (subject to a Tree Preservation Order) occupies the western part of the site and there are pub gardens to the rear and side. The Ryeworth Inn was listed as an Asset of Community Value (ACV) in April 2015.
- 1.2 The property has a long history as a public house and has been extended over the years in the form of mainly single storey flat roofed additions to the side and rear. The ground floor accommodates the bar and seating areas with staff accommodation on the first floor. The main building is vernacular in style and painted render under a tiled, hipped, slate roof and, despite the unsympathetic later additions, is considered to enhance the overall character and appearance of the street scene.
- 1.3 The property is located within an established residential area of Charlton Kings; Ryeworth Road characterised by a mixture of housing types which range considerably in age and architectural style with more traditional terraced and semi-detached housing in the central part of the road. Land levels also differ noticeably along Ryeworth Road, falling steeply in the middle section and then rising steeply towards the junction with Ham Road. The height and configuration of properties (and pavement height) in the road respond largely to the change in land levels resulting in a very varied street scene in terms of building height and set back from the road.
- 1.4 The applicant proposes alterations and conversion of the existing public house (part) to form a single dwelling and the erection of two new dwellings on land currently used as the pub car park. The later extensions to the main pub building would be demolished with a single storey wrap around extension to the side and rear of the original building also proposed.
- 1.5 The plans have been amended since the original submission. The amendments comprise the removal of the dormer windows and second floor accommodation, the raising of the two new proposed dwellings from ground level and resultant reduction in their overall height, the reduction in depth of the two storey rear wings to the new dwellings, alterations to fenestration and minor alterations to the width of the single storey extension to the retained building. In response to the views of the Architects Panel clarity was also sought on the height of the proposed new dwellings in relation to existing properties both adjacent and opposite the site.
- 1.6 The application is before committee at the request of Cllr Matthew Babbage.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

15/00716/PREAPP 6th May 2015 CLO

Demolition of existing public house and associated structures. Erection of 5 no. semi detached 3 bed townhouses with parking

99/50067/FUL 14th September 1999 PER

Block up doorway adjacent to door D01 and construct new bottle store and bin enclosure

14/01215/TPO 4th August 2014 PER

Oak tree adjacent to car park - reduce primary scaffold branch by no more than 3m back into crown, crown lift to include the removal of all secondary branches to a height of 4m, and branches overhanging Hambrook Street to 5m, remove all deadwood and 10% epicormic growth as way of a crown thin

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
HS 1 Housing development
RC 1 Existing community facilities
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Play space in residential development (2003)
Sustainable developments (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Highways

17th May 2016

I refer to the above planning application received on the 17th April 2016 with submitted plans no. SK_01, P004 D, Transport Statement, Design and Access Statement.

Location:

Ryeworth Road is located towards the South east of Cheltenham within the Charlton King's area of the town, approximately 2.3km from the town centre. Ryeworth Road is a class 4 residential highway with a carriageway width of approximately 4.2m in the location of the proposed site. There is street lighting and footways present although the footways are less than the standard 2.0m in width. The local context is characterised by a mix of frontage accesses and on-street parking.

Personal Injury Collisions:

There have been no recorded personal injury collisions within the proximity of the development site within the last 5 years.

Access and Visibility:

The development has proposed 3 accesses to serve the development. The existing public house which is to be converted to a residential dwelling will make use of an existing off-street parking area parallel to Ryeworth Road to the west of the site. The central dwelling will make use of a new vehicle dropped kerb frontage access which according to drawing SK_01 can achieve the required emerging visibility of 2.4m x 54m in either direction. It can

achieve the visibility with a 500mm off set from the kerb-line; this is acceptable in accordance with MfS2 guidance.

The eastern dwelling will also make use of a vehicle dropped kerb frontage access. Emerging visibility is achievable to the left; however visibility is restricted to the right due to the proximity of the adjacent property and associated land. Although the access is restricted, and would be regarded as unacceptable had this site been a Greenfield development, I have considered the previous site usage as a public house. The previous use would have generated significantly more vehicle movements per day through a restricted access than what would occur from a residential dwelling. The previous public house according to a TRICS survey based on the land use could have generated up to 100 daily vehicle movements, in comparison a single residential dwelling would generate 5 daily vehicle movements with 2 occurring per peak hour. A significant reduction in vehicle movements, with the risk of conflict as a result of the restricted access reduced. Therefore the proposed vehicle access is less intensive than the previous access to the pub car park and in this instance would be deemed acceptable.

Statement of Due Regard:

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development. It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

I recommend that no highway objection be raised.

Architects Panel

2nd March 2016

Design Concept

The panel had no objections to the development in principle.

Design Detail

The overall design is inoffensive and appropriate in its context. However, the panel questioned the desirability of cutting the two new dwellings into the site resulting in inappropriate street railings and steps down to the front doors. Street level access is preferred but it is appreciated that raising the buildings may result in having to omit the attic accommodation to keep the overall height of the development to a sensible scale.

The impact of the development on houses opposite needs to be assessed, information that was not provided with the submission.

Recommendation: Submit revised drawings.

11th May 2016

The panel had already commented on plans submitted with this application. Revised plans were reviewed for plots 2 and 3 which raised the buildings, avoiding the sunken entrance path, and omitted the second floor accommodation.

The panel felt the revised scheme was a much more successful design and were convinced the buildings would sit comfortably adjacent to existing properties.

Recommendation: Support.

Cheltenham Civic Society

18th February 2016

These fit in well with their surroundings

Gloucestershire Centre for Environmental Records

22nd February 2016

Report available to view online.

Building Control

12th February 2016

No comment

Parish Council

23rd February 2016

No objection.

Tree Officer

1st March 2016

In principle the Tree Section has no objection with this application. It is disappointing to see that there is no tree information submitted with this application even though there is a mature Oak tree on the site that is protected by a Tree Preservation Order.

The Tree Section would like to have a Tree Protection Plan submitted and agreed prior to the determination of this application.

5. PUBLICITY AND REPRESENTATIONS

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|-------------------------|-----------|
| Number of letters sent | 13 |
| Total comments received | 12 |
| Number of objections | 8 |
| Number of supporting | 2 |
| General comment | 2 |

- 5.1** A total of 13 local residents in neighbouring streets have been notified of the proposals, including the revised details received in March 2016. As a result of the public notification exercises and at the time of writing, a total of 12 comments have been received (8 in objection and 4 in support/general comment) which relate primarily to the following matters:-

In Objection

- Existing and anticipated problems with on street parking/congestion/road and access safety at junction with Hambrook Street/visibility
- Increase in traffic generation during construction phase
- Loss of public house and community facility
- Number, height and appearance of new dwellings in street scene
- Neighbour amenity – overlooking and loss of privacy
- Impact on TPO Oak tree
- Site should be viable as a public house and should remain as a local asset/community facility

In Support

- Proposed residential development would result in a reduction in noise and disturbance to local residents associated with a pub in a residential area.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues in determining this application are considered to be the loss of the public house and principle of residential development on this site, design, layout and appearance, impact on the amenities of occupiers of neighbouring properties, parking and highway safety issues.

6.3 Loss of Public House and Principle of Development

6.4 The proposed development includes the change of use and conversion of the existing public house to a single dwelling with the later single storey additions removed. An additional two, detached dwellings with off road parking are proposed on the land adjoining the public house which was used as the customer car park.

6.5 Concern has been raised locally about the closure and potential loss of the public house facility. Many locals consider that the pub has been a valued community asset and in this respect Officers do not doubt that the Ryeworth Inn has, in the past, been a popular and valued local facility.

6.6 In terms of policy considerations, there is no specific Local Plan policy which refers to the retention or otherwise of public houses. Policy RC1 of the Local Plan reads as follows:-

Development that leads to a loss of land or premises which meet the needs of the community will not be permitted unless:

(i) The use is replaced within the new development; or

(ii) Alternative provision is made in an appropriate location; or

(iii) There is no longer a need for this site to remain in community use.

- 6.7** This policy is only relevant to the considerations of the proposed development if a public house falls within the definition of a community facility. This matter has been tested recently at appeal; an appeal made against the Council's decision to refuse planning permission for the conversion of The Greyhound Inn at 198 Hewlett Road (ref APP/B1605/A/08/2088458) and to a lesser extent in relation to the loss of the Sherborne Arms in Sherborne Street in 2011 (APP/B1605/A/12/2171001) given that the shortfall in parking provision was the main reason for refusal here. The Inspector for the Sherborne Arms appeal, having assessed the proposed development and its uses as a whole, did not however, make any comment with regards the loss of the public house.
- 6.8** The reason for refusal in relation to the loss of the Greyhound Inn as a community facility read:
- "The conversion of this public house is considered to be unacceptable due to the lack of alternative facilities elsewhere within the locality which adequately meet the needs of the community. Alternative facilities that would meet the needs of the community which would arise from the loss of this public house are not located within an acceptable walking distance of the application site and therefore the proposal fails to comply with the aims and objectives of policy RC1 of the Cheltenham Borough Local Plan (Adopted 2006)."*
- 6.9** The appeal was allowed on 2nd February 2009 and, for reference, the decision notice is attached as an appendix. Importantly, the Inspector comments, *"Having read the policy and its supporting text carefully it seems to me that the relevance of the policy to a public house is open to doubt. I say that as there are no references to the retention of public houses (or other commercial establishments) in either the policy or its supporting text. The Local Plan rather highlights the importance of retaining community venues for evening classes and club meetings. While these activities can and do take place in public houses, I am doubtful if this brings such places within the terms of the policy."*
- 6.10** The Inspector went on to accept that the loss of the public house was a material consideration, however, it did not compare to a situation where the loss of the pub would leave a community bereft of facilities as there were other pubs within walking distance. The Inspector considered that there were plenty of other places nearby where people can socialise and spend their leisure time and concluded that *"I consider that even if Policy RC1 properly applies to public houses, contrary to my understanding, it does not follow that the appeal proposal is contrary to the policy given the availability of "adequate" alternative facilities"*.
- 6.11** This appeal decision is a material consideration to which great weight must be attached.
- 6.12** There have been other pubs lost recently in the Borough and their sites redeveloped for residential purposes; Best Mate Inn in Swindon Road and the Cat and Fiddle in Whaddon Road. The more recent supported/affordable housing scheme for the Cat and Fiddle in 2010 considered tentatively the relevance of Policy RC1 in relation to the loss of the pub. In this case, the applicant argued that there was no longer a need for the site to remain in community use in accordance with criterion (c) of Policy RC1 and demonstrated that there were adequate facilities available which were easily accessible and met the needs of the community. The applicant did point out that the facilities which need to be considered in the context of this policy are those suitable for accommodating evening classes and club meetings since these are the only community facilities identified in the preamble to Policy RC1.
- 6.13** In light of the above, Officers do not consider Policy RC1 relevant in this case and at best questionable. Further, in similarity with the Greyhound Inn and Sherborne Arms, it has been demonstrated that there are other options available locally with a number of alternative licensed premises available within a 1km radius of the site. The application site is located within walking distance of the public houses and other facilities in London

Road and Lyefield Road. Whilst these may not all be identical to the Ryeworth Inn in terms of size and provision, they do provide adequate and alternative venues.

- 6.14** Since the 2009 appeal decision the NPPF has been in force and its objectives must be considered in light of both the appeal decision and proposed development. At paragraph 70 it states that planning policies and decisions should:

“plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”

“guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community’s ability to meet its day-to-day needs”.

- 6.15** Whilst this policy seeks to both provide for and retain community facilities, as discussed in paragraph 6.12 above, there are opportunities for similar activities within walking distance of the site and therefore, in this respect, it is not considered that the proposed development would be contrary to the aims and objectives of the NPPF or Local Plan.

- 6.16** The Ryeworth Inn ceased trading in the summer of 2013, reopened in September that year following refurbishment works. However, this tenant plus two further vacated the premises due to the pub’s poor trade and viability issues. The property has nonetheless been advertised for sale since the last tenant vacated.

- 6.17** Whilst Officers consider the loss of the pub regrettable, it is not considered that there are sufficient grounds to resist the proposed change of use. Members should also be aware that under permitted development rights there is a permitted change from public house (A4) to retail (A1), restaurant (A3) or financial or professional services (A2) without the need for planning permission. There is also scope within the regulations for a temporary flexible use falling within use classes A1, A2, A3 or B1. Whilst these permitted changes of use do not apply in the case of a building which is listed as a community asset, Officers are mindful that in other situations (i.e. where a building is not identified as a community asset) any of these uses could be implemented and without any requirement to include community facilities. Whilst not wholly a material consideration in the determination of this planning application, Members should be aware of the extent and range of alternative uses for public houses as ‘permitted development’.

- 6.18** Members will be aware of the recent planning application for the change of use and extension to the Maple Leaf public house in Hewlett Road (ref 15/02269/FUL). This application was refused by the Planning Committee in February 2016; the second reason for refusal relating to the loss of a community facility, as follows:-

The proposal results in the loss of a public house and associated function room which is a valued local community facility. Its loss would therefore be detrimental to the quality of life of local residents and to the sustainability of the Fairview Community. As such the proposal is contrary to Policy RC1 of the Cheltenham Borough Local Plan adopted 2006 and paragraph 70 of the National Planning Policy Framework

- 6.19** Although there are similarities between the two proposals in terms of the loss of a public house, the Ryeworth Inn does not provide a function room or any other ancillary recreational facilities; it is simply a pub with a bar and indoor and outdoor seating. Whilst it is acknowledged that this in itself could be considered a valued community asset, as a venue it does not offer the range of facilities of the Maple Leaf and is located in a more suburban and residential area. As such, the relevance to this application of paragraph 70 of the NPPF is far more limited.

- 6.20** Housing Development

- 6.21** The site is located within the built up area of Cheltenham and benefits from ease of access (by foot, cycle and public transport) to all local amenities and services and those provided in Cheltenham town centre. The application site must therefore be considered as a sustainable location for new residential development.
- 6.22** When determining applications for housing, paragraph 49 of the NPPF advises that they should be considered in the context of a presumption in favour of sustainable development.
- 6.23** The NPPF requires local planning authorities to demonstrate a five year supply of housing; the Council is currently unable to demonstrate such a requirement. The NPPF advises that relevant local plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.24** Where policies are not considered to be up-to-date, the NPPF advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the framework, taken as a whole.
- 6.25** Although the application site is not garden land it does form part of the residential frontage of Ryeworth Road, and therefore the principles of the Council's SPD 'Development of Garden Land and Infill Sites in Cheltenham' can equally be applied to this proposed residential infill development on brownfield land. It is against this document, relevant Local Plan Policy and the provisions of the NPPF that this application should be determined.
- 6.26** Asset of Community Value
- 6.27** The Ryeworth Inn was listed as an Asset of Community Value (ACV) on 23rd April 2015. On 18th November 2015, the owner notified Cheltenham Borough Council of its intention to dispose of the property.
- 6.28** In accordance with procedures CBC gave notice of the owner's intention to dispose of the Asset and invited CAMRA or any eligible community interest group to express an interest as a potential bidder for the Asset. That initial 6 week period of formal notification/consultation ended on 8th January 2016 during which there was no interest in the Asset lodged by any party and no party registered for classification as a 'Registered Bidder'. As such, the six month moratorium on the sale of the property was not required. In summary, the owner/applicant (and CBC) has followed the correct procedure with regards the ACV listing.
- 6.29** **Design and Layout**
- 6.30** Policy CP7 of the Local Plan requires new development to be of a high standard of architectural design. Similarly, the Garden Land SPD emphasises the fact that proposals for development on garden land and other infill sites should be based on a thorough understanding of the character of the neighbourhood and in particular the street and block within which the site is located. Character is made up of a number of elements, the principal ones being the age of the buildings, their height, the way in which they are laid out and the function of the area.
- 6.31** The proposed development (as revised) is considered acceptable in layout, scale, design and appearance and the site is considered of suitable size and configuration to accommodate two new dwellings plus the conversion of the public house into a single dwelling. Off road parking for two cars is provided for each dwelling and there is adequate private amenity space for each property to the side and rear; not dissimilar to garden sizes and plot widths of neighbouring properties. Distances to the boundaries of properties in Ryeworth Road and Hambrook Street are acceptable (8.5-10 metres approx. to rear and 4

metres to side) and distances between first floor rear facing windows of the proposed dwellings and those in Hambrook Street (Nos 4 and 5) fall within the guidelines noted under Policy CP4 of the Local Plan.

- 6.32** The revised drawings have addressed earlier concerns in relation to the height and depth of the proposed two new dwellings and the width and impact of the single storey wrap around extension upon the architectural integrity of the existing building. The two storey wings have been reduced in depth and the amount of first floor fenestration on the side elevations also reduced to minimise the potential for overlooking into neighbouring properties. Additional information was also requested in respect of proposed parking arrangements and driver visibility. The applicant subsequently submitted a Transport Statement and accompanying drawings which provide clarity on visibility splays and turning within Ryeworth Road. These matters are discussed in more detail in paragraphs 6.44-49.
- 6.33** The proposed new dwellings are traditional in their design and appearance with two storey gable end wings, sash windows, chimneys, parapet roof detail and porch canopies. Their cottage style would sit comfortably in the street scene responding to the height, scale, proportions, widths and architectural style of the majority of surrounding development. The new dwellings would be constructed of painted render facing walls under a pitched slate roof reflecting the predominance of rendered properties nearby.
- 6.34** The retention of the existing building (with later flat roof additions demolished) is welcomed. The building is domestic in scale and appearance and its vernacular design is considered to enhance the character and appearance of Ryeworth Road. The proposed refurbishment works, new hipped roof over existing rear wing and single storey wrap around extension to the side and rear (as revised) are considered acceptable additions with the form of the original building retained.
- 6.35** The Architects Panel had concerns with the scheme as first submitted; the cutting into the land with inappropriate railings and steps down to the front doors. The Panel are supportive of the revised scheme which it considers more successful in its design and *“were convinced that the buildings would sit comfortably adjacent to existing properties”*.

6.36 Impact on neighbouring property

- 6.37** A number of local residents have raised concerns about the potential for overlooking from the proposed two new dwellings into neighbouring gardens and rear windows. There are properties facing the site at the rear in Hambrook Street and to the side, Nos 62 and 64 Ryeworth Road.
- 6.38** In response and to minimise the potential, for overlooking and loss of privacy, the depth of the proposed two storey rear wings has been reduced, windows removed from the side elevations and a blank window introduced to the rear elevation of Plot 2. The property closest to the proposed dwelling is No 62 Ryeworth Road which has an unusual relationship to the application site; its two storey principal elevation facing onto the rear of site. To protect neighbour amenity, there are no first floor side windows proposed in Plot 3.
- 6.39** The distances between first floor rear facing windows of the proposed dwellings and properties in Hambrook Street fall within the guidelines noted under Policy CP4 of the Local Plan. Further, the proposed dwellings' positions on the site take advantage, to some extent, of the gap between Nos 5 and 6 Hambrook Street.
- 6.40** It is acknowledged that the distances from the proposed rear elevations to the boundaries with properties in Hambrook Street fall a little short of the 10-10.5 metres which should

normally be provided in order to minimise the potential for overlooking. However, Officers have looked at the garden lengths and character of surrounding development, particularly those in Hambrook Street and Ryeworth Close and consider that the proposed dwellings would not have a dissimilar relationship to neighbouring properties and that an adequate degree of separation is achieved.

- 6.41** Members may also be aware of a recent appeal decision relating to the erection of 3 new dwellings at 28 St Luke's Close (ref 15/01305/FUL). In this case, the site was surrounded on three sides by residential properties. The Inspector commented that *"At 8.8m and 9m respectively, the degree of separation between the proposed dwellings and Nos 18-24 St Luke's Place and 11 & 15 College Road would not be materially different to the general pattern of surrounding development, where many properties look into the rear gardens of those nearby. This is to be expected in a high density, urban area in close proximity to the town centre"*. Whilst the current application site is not a town centre location, Ryeworth Road, Hambrook Street and the cul-de-sacs off these streets share many of the characteristics and urban grain of higher density residential development.
- 6.42** In light of the above, the proposed development is considered to adhere to the objectives of Policy CP4 of the Local Plan.
- 6.43 Access and highway issues**
- 6.44** Local residents have also raised a number of issues in relation to highway safety and parking congestion. There are concerns about the loss of on-street parking, the increased parking demand resulting from the proposed development and visibility at the junction with Hambrook Street.
- 6.45** There are two off-road parking spaces provided for each of the two new dwellings and three for the converted building. The potential increase in demand for on-street parking should therefore be negligible. Officers also question whether any on-street parking opportunities would be lost as a result of the proposed development, given the width of the existing car park access and the existing parking bays adjacent to Hambrook Street.
- 6.46** Given the position of adjacent buildings in relation to the proposed access points, Officers requested further information on visibility and turning. The applicant duly submitted drawings demonstrating visibility splays and swept path analysis for egress and exit of vehicles.
- 6.47** Given the potential for restricted visibility, Gloucestershire Highways was consulted. The Highways Officer comments that plot 2 can achieve the required emerging visibility of 2.4m x 54m in either direction and can achieve the visibility with a 500mm off set from the kerb-line; this is acceptable in accordance with MfS2 guidance. Plot 1 would use an existing drop kerb and vehicular access. Emerging visibility from Plot 3 is achievable to the left; however visibility is restricted to the right due to the proximity of the adjacent property and associated land. Although the access is restricted, and would be regarded as unacceptable had this site been a greenfield development, the Highways Officer has considered the previous use of the site as a public house which would have generated significantly more vehicle movements per day through a restricted access than that generated from a residential dwelling. The previous public house could have generated up to 100 daily vehicle movements; in comparison a single residential dwelling would generate 5 daily vehicle movements.
- 6.48** The proposed development would therefore result in a significant reduction in vehicle movements and with the risk of conflict also reduced. As such, the proposed vehicle access to Plot 3 is less intensive than the previous and in this instance deemed acceptable.

6.49 In light of all the above comments, there are no significant highway safety issues that would warrant refusal of this application.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Whilst the loss of the Ryeworth Inn is regrettable there are limited grounds on which to resist the proposed redevelopment of the site for residential purposes. There is no Local Plan policy which relates specifically to the loss of a public house and whilst the NPPF includes public houses within the context of community facilities, there are adequate alternative facilities available within reasonable walking distance of the application site to meet the everyday needs of the community in accordance with paragraph 70 of the NPPF.
- 7.2** Given that the Ryeworth Inn is listed as an Asset of Community Value, the required period of notice was given to enable any interested eligible party to come forward as a potential bidder for the site. Subsequently, there was no interest in the Asset lodged and therefore no party registered for classification as a 'Registered Bidder'. As such, the six month moratorium on the sale of the property was not required.
- 7.3** There are no concerns in relation to highway safety and parking congestion; the proposed development should not worsen the current difficulties in parking experienced by local residents. There would also be no significant harm to the amenities of occupiers of neighbouring properties in terms of overlooking and loss of privacy.
- 7.4** The design, scale and appearance of the proposed development are in keeping with the character of surrounding development and the retention of the original pub building (in its proposed altered form) is welcomed.
- 7.5** Furthermore, there are advantages to a residential use in this location, not least that it would contribute to the 5 year supply of housing land. The Officer view is therefore that the advantages of the proposal outweigh any of the concerns raised and the recommendation is to permit subject to the following conditions.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 No gates shall be erected at any time for use across the proposed access unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that use of the drive does not result in an obstruction to the carriageway in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 4 Prior to the first occupation of the approved development, the access driveway shall be surfaced for at least the first 4.5m from the carriageway with permeable hard surfacing

(unless provision is made to direct run-off from the hard surface to a permeable area) and shall be retained as such thereafter.

Reason: To prevent loose material being carried onto the highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 5 Prior to the first occupation of the development, the car parking area shall be completed and marked out in accordance with the approved plan(s). The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.

Reason: To ensure adequate car parking within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 6 The cycle parking provision shown on the approved plans shall be completed prior to the first occupation of the development and thereafter kept free of obstruction and available for the parking of cycles only.

Reason: To ensure adequate provision and availability of cycle parking in accordance with Local Plan Policy TP6 relating to parking provision in development.

- 7 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.

- 8 Unless otherwise agreed in writing by the Local Planning Authority, the exterior of the approved development shall be rendered and painted in either a white or cream colour and maintained as such thereafter.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 9 No bargeboards or eaves fascias shall be used in the approved development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.

Reason: Any further extension or alteration requires detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no additional openings shall be formed in the development without planning permission.

Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

- 12 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be

submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.

Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.

- 13 Prior to the commencement of any works on site (including demolition and site clearance) a Tree Protection Plan (TPP) to BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the positioning and specifications for the erection of tree protective fencing. The development shall be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, the authority sought revisions to the scale and appearance of the proposed development in order to minimise impact on the amenities of the locality.

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

| | | | |
|---|--|--|--|
| APPLICATION NO: 16/00166/FUL | | OFFICER: Mrs Lucy White | |
| DATE REGISTERED: 5th February 2016 | | DATE OF EXPIRY : 1st April 2016 | |
| WARD: Battledown | | PARISH: CHARLK | |
| APPLICANT: | DavMay 30 Ltd | | |
| LOCATION: | Ryeworth Inn 60 Ryeworth Road Charlton Kings | | |
| PROPOSAL: | Alterations and conversion of existing public house (part) to form a single dwelling and erection of two new dwellings | | |

REPRESENTATIONS

| | |
|---------------------------|-----------|
| Number of contributors | 12 |
| Number of objections | 8 |
| Number of representations | 2 |
| Number of supporting | 2 |

49C Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 1st March 2016

It's sad that the Ryeworth Inn will no longer exist.

I object to the application for the following reasons.

1. Parking.

As others residents have stated the current parking in Ryeworth road is in my mind very dangerous. Any further development especially given the density of the application will impact the current parking situation and safety even further. Residents opposite the development already find it difficult to turn into the road and I believe this development will make this situation even worse. If the application does get approved then vehicles that currently use the site as a car park will have to park elsewhere so I would support the introduction of a residents parking scheme. Unfortunately, this would then have a negative impact for other parts of Ryeworth road as they would have inherit the current parking issues. There is no easy answer.

2. Density.

I object to the density of the application. Surely a maximum of 2 dwellings both with off road turning spaces would be far more sensible.

3. Height of the proposed dwellings.

Whilst I understand that the developers will want to maximise their investment, I would like existing building lines and heights to be taken into consideration. The current application does not seem to have taken this into account.

The Villa
Hambrook Street
Charlton Kings Cheltenham
Gloucestershire
GL52 6LP

Comments: 26th February 2016

My objection to this development is based on a couple of specific issues rather than objecting to this site being developed in general. Although it is regrettable that a community pub is being lost, I accept that it is unlikely that a successful business could operate from this site.

However, I have serious concerns about the development's impact on local traffic and parking. There is an increasing risk of there being a serious accident on Ryeworth Road. There is already a serious shortage of parking on Ryeworth Road and every available (and some unavailable!) space is taken. Pulling out, or stepping out, is a risky affair as traffic often drives too quickly in either an attempt to avoid a lengthy wait at the Sixways traffic lights, or to get past the cars parked on-road before they meet a vehicle coming the other way. The on-road parking has not only effectively reduced Ryeworth Road to a single track road but cars parking alternatively on both sides of the road have created a 'slalom'. It is incredibly difficult to see cars pulling out from between parked cars as you drive along Ryeworth Road, and it is even harder to see cars driving quickly along Ryeworth Road as you pull out.

The fact that the proposed development would result in the loss of 8 parking places will significantly worsen these problems. I accept that not all of these places related to residents as some were intended for the inn's clientele, but given the significant shorten of parking on Ryeworth Road, every available parking opportunity is utilised. The security fencing currently in place around the inn's car park has vehicles parked outside it every night, and often they even abuts partly across Hambrook St making it difficult to exit Hambrook Street without driving onto the pavement. The fact that 3 properties are proposed rather than 2 will obviously make things worse. I note that they all have off-road parking but this will remove the on-road parking in front of these houses (otherwise this new parking will be blocked in) and obviously these 3 properties will at times generate additional traffic and the need for additional parking spaces as inevitably they will have visitors etc. And the fact that between them they have 3 exits onto Ryeworth Road will create 3 more potential hazards; why can't there be shared driveways?

I know that when the house that I currently own (The Villa, Hambrook St) was built, planning permission was granted on the basis that the developer had to provide additional off-road parking for local residents. He did this by also purchasing the property previously known as Rowan, demolishing it and replacing it with 6 additional off-road parking spaces. Why couldn't some similar arrangement be considered for Ryeworth Inn? There is certainly space enough on the Ryeworth Inn site to include additional parking, particularly if they built 2 properties rather than 3.

My second objection relates to the size and mass of the proposed buildings. I accept that the developers have tried to design the properties in keeping with other local buildings, but plot 2 & 3 are higher than both the existing inn to the west (plot 1) and the existing properties to the east. Also, because the proposal has a second floor incorporated within the roof space, the mass of the roof (and the building in general) is significantly increased and out of proportion with nearby buildings. The fact that they are also proposing 3 rather than 2 homes only exacerbates this.

Comments: 18th April 2016

I appreciate the production of a traffic report and have read it with interest. However, what I believe it fails to consider, when comparing the impact of traffic from the status quo (i.e. a pub) to the proposed change (i.e. 3 residences) are the relative times when traffic and parking occurs under each scenario. And how much of the parking is likely to be on-street. I note that there are 7 new off-street parking spaces allocated but given that 2 of these are blocked in by 2 of the other spaces directly behind, I remain sceptical as to how often they will be used. It will be far easier to park on-street (should on-street parking be available at the time) than to be required to shuffle the

cars around every time that the front car wants to get out. And by doing so, effectively reducing the number of on-street spaces currently available to existing residents. The fact that the marked spaces are so narrow will also deter their use as getting in and out of the car (children damaging doors etc.) will mean that the residents of the new properties will utilise on street parking whenever available (and use their parking spaces for other purposes - bicycles etc).

Also, the need for these spaces will be at times when the road is most congested - evenings and weekends. There may well have been more traffic associated with the pub but at least all the parking was off road and by the time the pub generated much traffic / parking, at least most residents were already home and parked. Also, I would point out that most of the pub's clientele were local and walked there - there was very little traffic actually generated - which is probably why the pub was unable to survive commercially.

11 Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 1st March 2016

GCC Highways must be actively involved in assessing this application, with a site visit being essential. I would suggest that local residents are invited to inform any site visit as an officer visiting during normal working hours would not get a true impression of the seriousness of the parking and access situation.

Hambrook St appears small on the plans provided but is a residential street with 32 properties. The junction with Ryeworth Road was previously manageable as the open pub car park provided visibility and turning room for refuse and emergency vehicles etc and for cars to pass. The temporary barriers now in place have created a dangerous situation where it is often impossible to see when exiting the junction. The proposed plan has a low perimeter wall that will similarly restrict movement and cars will still park and restrict visibility (I would suggest planning conditions to restrict the height and spread of any vegetation near the junction). In sum a redesign of the junction is required (potentially remaining risk could be mitigated by creation of a 20mph zone).

Others have rightly commented on the seriousness of displacing the vehicles parking on the pub frontage. I would add that the pub and adjoining junctions previously provided rare passing places on Ryeworth Road which should be maintained. You will be aware that Ryeworth Road is also a bus route. Permission for any development on the site should include conditions ensuring that building material and vehicles associated with the building work should be on the site only. Deliveries should not block the roads.

I do want the site put to viable use but do not accept that it isn't viable as a pub. A coat of exterior paint and a new sign do not constitute a "refurbishment". High rents and two inexperienced landlords with no funds isn't recipe for success either! I understand (but can't verify) that there were others interested in buying the property and running it as a pub but I suspect their sealed bid wasn't high enough.

Comments: 25th April 2016

I have now changed to objecting to this application. The original application received a number of balanced comments based on local knowledge and experience. The failure to address these comments undermines confidence in the plans.

Rather than address the concerns over parking and access, the submittal of a transport statement appears to try and distract from these very real issues. Previous comments did not suggest that the change of land use from a pub to residential use would increase traffic volumes, so why does the report focus on traffic volume (without addressing a real issue of how the increase in construction traffic volume, if this development were to go ahead, would be handled)?

The observation that there "is some on street parking on Ryeworth Road" does not reflect the reality at evenings and weekends. There is parking at every available space along the street; it is effectively single carriageway. The area by the westerly pub car park used to provide a useful passing place.

Houses of the size proposed and in that price bracket are likely to have 2 cars. Presumably they will have visitors although no mention is made of where they will park. The cars and vans that currently park alongside the Pub frontage will not evaporate but will continue to park on the remaining available frontage or on the other side of the road.

The swept path analysis and visibility splays shown on the diagram are unrealistic. There will be cars parked on the pavement restricting vision and the ability to manoeuvre. Of greatest concern is that there are no visibility splays or swept path analysis shown for Hambrook St on the western boundary to the site. There are 32 properties with c100 residents in Hambrook St. They need access with their vehicles, as do refuse and emergency vehicles, delivery lorries etc. The proposed development makes the visibility and turning area significantly worse than the former land use and encourages on street parking. The junction area should be redesigned. This formerly open tarmac parking area is shown as adopted highway on the Cheltenham BC supplied plans returned to my Solicitor when we purchased our house, and so I would suggest that the status is checked.

The dismissal of safety concerns raised in a several previous comments through the production of a crash map based on statistics 2012-14 is patronising. During this period the pub and car parks were operating. Keeping access to these car parks open meant that there wasn't parking on the street and therefore the viewing angles were much wider. The safety concerns have arisen since the erection of barriers in 2015(the position of which closely aligns to the proposed site plan) which has resulted in cars parking on the pavement and restricting access and visibility.

The photographs provided in the covering letter are as relevant as the historic photos, that are probably still on the pub wall, from a period when much of it was designed and built, showing no cars on Ryeworth Road. What is relevant is that the current design of the proposed development would make parking and access for the site and neighbouring Hambrook St worse than the former Pub land use. Photographs of parking now around the pub site at evenings and weekends would have been more relevant!

Please amend the plans to address these issues and the concerns raised by others. I genuinely believe comments are not from a "NIMBY" perspective but one where we want to ensure that professionals and elected Councillors are well informed and make the correct decisions.

Despite several attempts to view the revised drawings on the portal I get a message saying "This document is unavailable for viewing at this time" and therefore I am unable to comment further on the plan revisions.

The Asset of Community Value process may have been followed but I would suggest that the system is flawed as Enterprise Inns should have sold to someone who would run the Ryeworth as a pub in the first place. Ryeworth is a distinct area and whilst we have some great allotments, there aren't other venues for the community to come together! I would therefore encourage Councillors to reject the application for change of land use.

82B Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 26th February 2016

I object to the change of use of the public house to residential housing, and also to the building of 2 additional properties on the site.

The pub is a community facility that benefits the community and provides a social hub. I have been disappointed that the pub has been shut for much of the past year - though was looking forward to it reopening when I saw the renovation taking place. The planning report suggests lack of income as a reason for change of use, but there will obviously be a lack of income when a property is being renovated, and this is therefore a misleading statement by the applicant. I do not agree that other local facilities are within easy walking distance - they are 10 minutes away and involve the crossing of a very busy road. Further, money was spent on renovating the pub, and thus it clearly seems there was an expectation on the part of the current owners that it would be a viable business. The application also suggests a lack of passing trade, yet this is a very busy street. Further, no efforts have been made to signpost the Ryeworth from the main road, which seems self-defeating.

As for the proposed dwellings, they are taller than existing properties and therefore would be harmful to the village feel of this part of Ryeworth Road. I believe this is an example of 'garden-grabbing', and the density of the proposed dwellings is excessive, and will impact the lighting/view on the street and for nearby houses.

I am particularly concerned about the affects on parking in the street. I frequently struggle to park, and 3 access points to parking for the proposed properties would limit parking on the street further. Further, the vehicles for the dwellings would have to reverse onto an already busy street, with a restricted view of the road due to the on-street parking. It would also result in the loss of two turning/passing points, which are sorely needed on this road due to the narrowing of the street caused by the necessary on-street parking. Only today my car was hit and damaged by someone trying to pull aside to let a bus pass, and this loss of passing/turning points will increase the risk of this happening again.

Hillview House
Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 15th April 2016

We have no objection to the proposed plans for the changes to the Ryeworth Inn into residential dwellings. In the past 6 years we have had problems with loud music and all night lock ins at the pub and more recently a rat infestation, all of which we have notified the council of. Having a pub in such a quiet residential area is not a good idea.

I only have two concerns, the first is that the oak tree is not affected in any way and secondly that the junction of Hambrook Street and Ryeworth Road is carefully looked at as it could be very dangerous if visibility is blocked in any way.

1 Rose Cottages
Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 29th February 2016

We fully support the new build. We think this is much better than having a pub right behind our house.

The only 2 things we're concerned about are parking & new roof in one of the houses.

Parking | There should be more allocated parking spaces for the new people moving into this development and perhaps a bit more parking for neighbours from the surrounding area. On average people around the area have 2 cars and this can be a total nightmare, as everyone wants to park 'somewhere'.

We only own 1 car and it's a total nightmare when people with 2 or more cars are trying to find another space to park their car and they don't care about others.

Roof in one of the new builds| We have noticed that there might be a new pitched roof in one of the new builds, we don't have much light at the back of the house, so if you could keep this flat or slightly lower that'll be great, as we want natural light to come through to the back of the house and a high roof might take this away from us.

Please take this into consideration.

4 Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 2nd March 2016

Letter attached.

6 Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 23rd February 2016

I live at 6 Hambrook Street south of the proposed development. I have no objections to the redevelopment of the site. Any over looking windows I would like obscure glass to maintain privacy of my garden and living room. I feel having three separate car park exits is a mistake and will inevitably cause an accident at this bottleneck on Ryeworth road.

More time is needed creating a safe and sustainable design before I support this development.

Comments: 25th April 2016

I am objecting because the first floor rear windows of plots 2 and 3 will overlook my garden and kitchen/living room, spoiling the enjoyment of both. I see one of the rear windows of plot 2 has been recessed and left blank. Why one and not the other? I suggest either using obscured glass

or removing the windows and having roof lights instead and would like the planners to consider these options.

Joining Ryeworth Road from Hambrook Street is currently a nightmare and I ask that great consideration be given when creating a safer solution.

62 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 22nd February 2016

Parking is already an issue in Ryeworth Road and the loss of 8 parking spaces to this development will exacerbate the situation. A system of parking permits, one per household, should be introduced.

The proximity of one of the houses to our property suggests that we will be deprived of some of our light, particularly in the evenings.

84 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 1st March 2016

I am writing to Strongly object to the Ryeworth inn being partially demolished and being turned into a residential home and the building of two more houses in the now rear/side car park.

I have lived in Ryeworth road all my life for forty two years and also i have been a very successful landlord of the Ryeworth inn from 2001-2008 which i then sold the built up thriving business and lease for a substantial amount, then moving onto to buying a nightclub in the town centre that was close to closing down i have built that up and have been there for seven years, The point i am making is this pub should stay as a pub it is a huge asset to the local community since it was built in "1834", Its recent failure is down to the brewery demanding high rent, tying down tenants with no experience, and making them buy there stock from them for extortionate prices.

I am very positive that this should be made to be left as a public house so it can remain serving the local community again! it has worked and can work, Save this pub!!! please don't let another developer take away our local Heritage from "1834" and stand by us your local community.

Looking at the plans it will take road side parking away for 5/6 cars which on a road like this it a seriously important issue which has completely got worse over the years.

Comments: 18th April 2016

I have wrote objecting for this planning not to go ahead before but i wanted to add - I cant see why you cant compromise with the developer and the other seven objections and some of the others that are half and half about the plans, you can allow two lovely cottages be built in the rear car park slightly narrower than revised plans with a parking space for one car on the front of each of the two dwellings and make the rear gardens smaller leaving the original built in 1836 Ryeworth inn pub the hub of our community to be sold on or rented on as a pub and be Saved ! This way everyone wins , the front car park can be turned around and more spaces made by taking up the garden space which is sheltered anyway from the listed tree , it can be run as a busy pub again and all it needs is to have is the right people and the right ideas and be revamped

i would certainly be interested in taking it on again and saving it , it will take some work but i can see and i know it is a big asset to the local community and has and can work again, i now i could get a petition and show you this if required i am passionate about this pub and really hope i get heard and a plus side to also is this way the side road parking of five to six cars will be saved also which this road can not do with out !

Anything you would like to discuss please email or call me and anything i can do to help this as what i suggested i love to know.

Thanks you so much for your time is reading this and i hope this may help.

The Corner House
2 Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LN

Comments: 2nd March 2016
Letter attached.

The Haven
Hambrook Street
Charlton Kings Cheltenham
Gloucestershire
GL52 6LP

Comments: 21st March 2016

I am a resident of Hambrook Street, and as other comments have pointed out, traffic and congestion on Ryeworth road are dangerous and in some cases illegal. Exciting Hambrook Street with parked cars on both sides makes this dangerous (especially since the pub owner has put up steel barricades. The planned development will only increase parking requirements and lead to further problems.

I also object to the removal of a civic amenity (the pub!), and would support any application for the reinstatement of the pub. Ironically, the pub had plenty of space in the car park, but not enough custom because of the issues with running a company owned pub. Any application that turned the Ryeworth Inn back into a going concern would have my support.

I therefore wish to object to the proposed housing development.

[REDACTED]

From: Internet - Built Environment
Sent: 02 March 2016 08:57
To: Internet - Planning Comments
Subject: FW: Ryeworth Inn - Plan To Build 3 Houses - Reference Number: 16/00166/FUL

Audrey Ridley
Customer Liaison Officer
Environmental & Regulatory Services
Mon, Tues & Wed
01242 264328
audrey.ridley@cheltenham.gov.uk



From: [REDACTED]
Sent: 01 March 2016 19:02
To: Internet - Built Environment
Subject: Ryeworth Inn - Plan To Build 3 Houses - Reference Number: 16/00166/FUL

To Whom It May Concern,

I recently received a flyer from the Conservatives outlining the proposed building of three houses on the site of the Ryeworth Inn in Charlton Kings. I live directly behind the Ryeworth Inn at 4 Hambrook Street, so will obviously be impacted by any new development.

On inspection of the plans of the proposed new buildings (as shown on the reverse of the flyer) it was evident to me that the structure of the back of 4 Hambrook Street was inaccurately portrayed. A significant ground floor extension was added to the property in 1998 - but the plans appear to show the structure at the rear of the building as it was prior to then.

As a consequence, it is not apparent that the rear of the building extends to within about a metre or so of the perimeter. Furthermore, unlike the structure near the perimeter at the back of 5 Hambrook Street which is an uninhabited outbuilding, the room at the very back of 4 Hambrook Street is living quarters with rear facing windows.

I reported this inaccuracy to one of your colleagues at Cheltenham Borough Council, who advised me to submit a revised version of the plans to show the rear of 4 Hambrook Street as it actually is - and to that end I have attached a photo of the plans where you will be able to see that the rear of 4 Hambrook Street differs from the original submission from Coombes:Everitt, the architects responsible for the plans.

[REDACTED]

From: Internet - Built Environment
Sent: 02 March 2016 08:57
To: Internet - Planning Comments
Subject: FW: Ryeworth Inn - Plan To Build 3 Houses - Reference Number: 16/00166/FUL

Audrey Ridley
Customer Liaison Officer
Environmental & Regulatory Services
Mon, Tues & Wed
01242 264328
audrey.ridley@cheltenham.gov.uk



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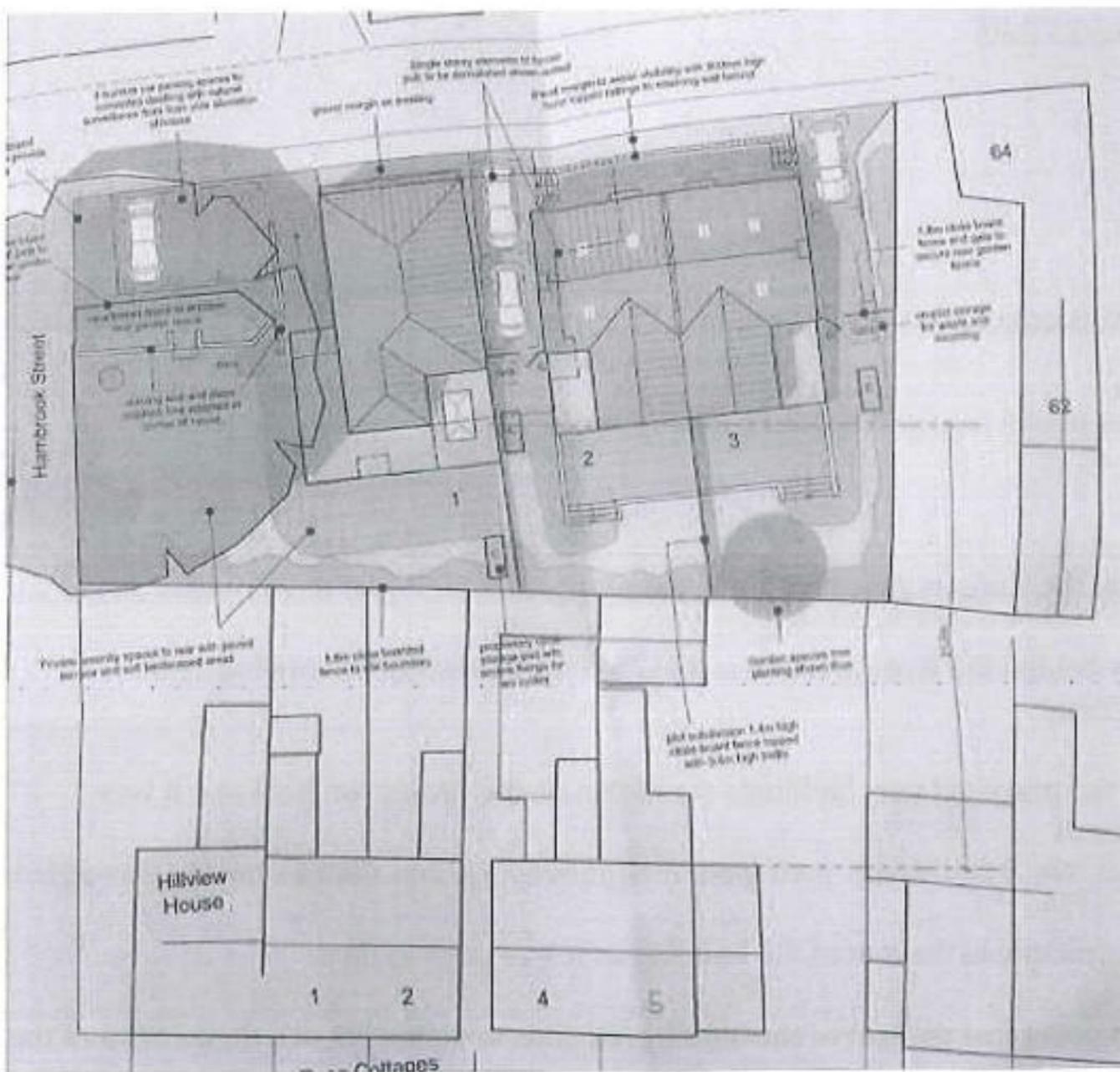
As a courtesy, I have also informed Coombes:Everitt who verified my observations by looking at Google Earth. They are apparently intending to address this inaccuracy by submitting an amended plan to you.

My purpose in bringing this to the attention of yourself and Coombes:Everitt is simply to ensure that all parties are making decisions on the basis of accurate information, and to avoid any unfortunate oversights that may arise from inadvertently not doing so.

Yours sincerely,



4 Hambrook Street,
Cheltenham
GL52 6LW





Appeal Decision

Site visit made on 27 January 2009

by **RN Parry BA DipTP MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
2 February 2009

Appeal Ref: APP/B1605/A/08/2088458

The Greyhound Inn, 198 Hewlett Road, Cheltenham, GL52 6UP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Brian Williams against the decision of Cheltenham Borough Council.
- The application Ref. 08/00612/FUL, dated 23 April 2008, was refused by notice dated 21 August 2008.
- The development proposed is conversion of existing public house into 5No. apartments (4No 1 bed and 1No 2 bed).

Decision

1. I allow this appeal and grant planning permission for the conversion of an existing public house into 5No.apartments (4No.1 bed and 1No.2 bed) at The Greyhound Inn, 198 Hewlett Road, Cheltenham, GL52 6UP, in accordance with the terms of the application, Ref 08/00612/FUL, dated 23 April 2008, and the plans submitted with it, as altered by revised plan 07.044 Greyhound conversion Rev B, subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
 2. Prior to the commencement of development, a detailed specification of all external materials and finishes, including all windows and external doors, shall be submitted to and approved in writing by the Local Planning Authority.
 3. A detailed scheme for boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved.
 4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a survey of all of the existing trees on the land showing the size and species and identifying those trees, if any, it is proposed to remove. In addition it shall show in detail all proposed tree and shrub planting, the treatment of paved areas and areas to be grassed. All planting, seeding or turfing comprised in the approved details shall be carried out in accordance with the attached specification and be completed to the satisfaction of the Local Planning Authority within 12 months of the completion of the scheme. Any trees that die, or are removed or seriously

damaged within a period of 5 years from the completion of the development shall be replaced in the same places by others of a similar size and species in the next planning season unless the Local Planning Authority gives written consent to any variation.

5. Notwithstanding the submitted details, a scheme in respect of access and areas for the parking and turning of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the approved scheme has been implemented. The parking areas shall thereafter be kept available for parking and not used for any other purpose.
6. Prior to the occupation of the development the approved cycle storage facilities shall be constructed and retained for that use thereafter.
7. Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the development is occupied.
8. Notwithstanding the approved details, there shall be no access to the roof area above the ground floor on the north-western corner of the building.

Procedural matter

2. In response to the Council's refusal to grant planning permission, the appellant submitted a revised plan as part of the appeal process (07.044 Greyhound conversion Rev. B). In dealing with this appeal I have taken the revised plan into account. This is important inasmuch as a letter from the Council dated 28 November 2008 confirms that the revised plan addresses one of the reasons for refusing to grant planning permission, more precisely reason No.2 which refers to the loss of amenity for the occupiers of No 196 Hewlett Road due to the provision of a roof terrace for one of the apartments.
3. It also seems to me that the revised plan seeks to address reason No.3 of the decision notice. This refers to the adverse impact on the street scene of a 1.8m tall fence and an overprovision of car parking/hardstandings. As the revised plan does not include the 1.8m tall fence it must follow that the Council's concern on this point is met. Confirmation is provided by the letter from the Council dated 12 November 2008. While the deletion of 4 of the dedicated car spaces must also alleviate the Council's concern regarding an overprovision of car parking/hardstandings, the same letter does not indicate if the Council's concerns on this point are fully met. Notwithstanding my uncertainty on this matter, I am satisfied that the concern can be addressed via a condition attached to a grant of planning permission. This would leave the issue of car parking/hardstandings for later approval.

Main issue(s)

4. Bearing the above in mind I consider that the main issues in this case are as follows. Firstly, whether the conversion is acceptable given the loss of a public

house and, secondly, whether the proposal would have an undue impact on the street scene due to the loss of the curved bay window on the front elevation.

Reasons

5. As part of its case for resisting the loss of the existing public house the Council draws attention to Policy RC1 of the adopted Cheltenham Local Plan. This states that the loss of premises which meet the needs of the community will not be permitted unless certain criteria are satisfied. One criterion, the need for the site to remain in community use, is said to be of especial relevance. To help clarify this point a note is attached to the policy referring, amongst other things, to the availability or otherwise of adequate facilities to meet the needs of the community.
6. While the Council is satisfied that the policy is relevant whenever the loss of a public house is in prospect, the appellant argues that the policy is not intended to apply to public houses and other commercial establishments. Having read the policy and its supporting text carefully it seems to me that the relevance of the policy to a public house is open to doubt. I say that as there are no references to the retention of public houses (or other commercial establishments) in either the policy or its supporting text. The Local Plan, rather, highlights the importance of retaining community venues for evening classes and club meetings. While these activities can and do take place in public houses, I am doubtful if this brings such places within the terms of the policy. I note also that the Inspector appointed to hold the inquiry into objections to the Local Plan expressed the view that Policy RC1 did not relate to commercial establishments.
7. Irrespective of whether Policy RC1 is relevant, I am in no doubt that The Greyhound Inn is a valued and popular destination for a miscellany of leisure activities. Many letters and a petition have been submitted in support of its retention, not least because of the use of its skittle alley by many individuals and local groups. Furthermore, I accept that the loss of a public house serving the local community is a material consideration in this case. That said, this is not an instance where the loss of the public house would leave a village or some other isolated community bereft of a public house with all of the leisure and community benefits that it can provide. Significantly, the local community in the vicinity of the Greyhound has easy access to at least 2 other public houses. The Hewlett Arms is situated within 300m walking distance of the appeal site and the Cat and Fiddle is less than 500m away. And within 1000m of the Greyhound, the distance often used to judge accessibility on foot, there are at least 2 further licensed premises. Nearby public transport facilities would also allow local residents easy access to the many public houses located elsewhere in Cheltenham.
8. While the service provided by the current landlord of The Greyhound Inn is clearly much appreciated by the local community, it seems to me that easily accessible alternative facilities are available nearby where people can socialise and spend their leisure time. The loss of the Greyhound may mean that some customers would need to travel further to play skittles but in that regard I note that there are over 30 places to play skittles in Cheltenham, and that a number of these are within 1000m of the appeal site.

9. In addition I note that within the same 1000m distance of the appeal site there are Community Centres and other venues available for public use. Bearing all of the above in mind, I consider that even if Policy RC1 properly applies to public houses, contrary to my understanding, it does not follow that the appeal proposal is contrary to the policy given the availability of "adequate" alternative facilities.
10. I now turn to the second main issue. The Greyhound Inn is not a listed building but the papers on file suggest that it may recently have been added to the list of locally important buildings. Converting the public house into 5 apartments significantly alters the internal building arrangements but the external appearance of the building would be little altered. Even so the Council is concerned that the removal of the curved bay window at the front of the building would diminish its overall appearance and in turn damage the wider street scene. Relevant to this I note that the revised plan submitted by the appellants actually retains the bay window, albeit in a modified form.
11. In my view the Council's objection to the wholesale removal of the bay window is well founded. The loss of this feature is undesirable since it does help to enhance what, to my eyes at least, is otherwise a somewhat ordinary 1930's building. While the modified bay window in the revised plan is a somewhat contrived response to the Council's concern, in my view this feature does not itself warrant a refusal of planning permission. I am satisfied that the proposal is not contrary to Policy CP7 of the adopted Local Plan.
12. I have taken account of all of the other matters drawn to my attention but they do not outweigh my conclusions on the main issues.
13. Finally the Council has put forward a list of conditions that it considers should be attached to any grant of planning permission. In addition to the standard time condition, the conditions relate to materials, boundary enclosures, cycle provision and landscaping. In my view these all need to be imposed to ensure an acceptable standard of development. I have also attached conditions to help protect the amenities enjoyed at No.196 Hewlett Road and in respect of access and the provision of car parking/hardstandings.

R n Parry

Inspector

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| APPLICATION NO: 16/00166/FUL | OFFICER: Mrs Lucy White |
| DATE REGISTERED: 5th February 2016 | DATE OF EXPIRY : 1st April 2016 |
| WARD: Battledown | PARISH: CHARLK |
| APPLICANT: | DavMay 30 Ltd |
| LOCATION: | Ryeworth Inn, 60 Ryeworth Road, Charlton Kings |
| PROPOSAL: | Alterations and conversion of existing public house (part) to form a single dwelling and erection of two new dwellings |

ADDITIONAL REPRESENTATIONS

15 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 23rd May 2016

Just read Conservative leaflet re plans for Ryeworth Inn. I request that more consideration is given to the road safety with this proposal. Access and egress at the corner to and from Hambrook Street into Ryeworth Road is a known risk on good days. Ambulances fire vehicles and suchlike will find negotiating that corner with proposed works an increased and significant hazard. Vehicles meet with incoming and outgoing traffic along Hambrook. This is a single Lane at this part of Hambrook. Safe passage from either end of Ryeworth Road will be impacted too if vehicles need to reverse back as they frequently do to negotiate access.

What thought has gone into the congested Road parking issue in this location, from the multi occupancy property opposite and single dwelling terraced properties and not forgetting the regular bus service and delivery lorries hogging the single Lane traffic flow along Ryeworth. Not a pleasant experience when meeting vehicles head on and the frequent stand off that then occurs

5 Wesley Road
Leonard Stanley
Stonehouse
Gloucestershire
GL10 3PF

Comments: 25th May 2016

I have been made aware of the planning application for the Ryeworth Inn. Reading these plans concerns me greatly.

As a person who visits Ryeworth road every week and enjoys seeing friends from the Charlton Kings area I have been able to appreciate what the Ryeworth Inn has to offer. I am personally friends with ex land lady Tina Hoban and used to go into the Ryeworth once, twice maybe three times a week depending on when I was in the area. The Ryeworth has so much to offer as a local pub with great history, a charming county interior and beautiful pub garden. The pub offers great parking for those visiting. However when the pub was taken over by the next two land lords the pub fell into disrepair and wasn't popular due to the ways of which the land lord decided to run the pub.

I think with keeping the Ryeworth as a pub is extremely vital for the area as a traditional piece of history and as a local pub which the pubs locally do not offer i.e. parking and the general charm of a country pub. Making sure a suitable owner for the pub is a vital necessity as i think the pub is a hidden gem and could be made extremely popular if in the right hands!

Also, as I am visiting friends in Ryeworth road I am aware of current situation with the appalling lack of parking. The friend whom I visit is a resident without a driveway resulting in parking on the road therefore having his car smashed into on Boxing Day due to the narrowness of the road. If the pub was turned into a houses, flats etc this would cause further problems for local residents which is unneeded. Leaving the Ryeworth as a pub would give more room for turning round in the road as it boats two large car parks and spaces for visitors to park with the permission of the pub owner (which I have asked before and have been more than accepting for me to park in their car park).

To conclude I think the Ryeworth should remain as a pub which would be ideal for locals and passing trade and help boost the popularity of the area. I oppose the idea of turning it into houses/flats as this would cause further disruption to a already bad situation.

I hope you take this letter into consideration and the many more you receive as we are on the receiving end of what plans you have to come ! If you would like to call me and discuss this further I would be more than happy to.

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Ryeworth Road
GL52 6LT

Comments: 26th May 2016

I would like to make it known, as a resident of Ryeworth Road, my objection to the proposed conversion of the pub into residential property.

There seems to be systematic approach by Enterprise Inns to run pubs into the ground by employing unsuitable managers and not offering the support needed in order to help pubs thrive. Pubs are often the centre of community as well as being our living heritage and we are losing much of it at an alarming rate.

I can easily think of at least 30 pubs in Cheltenham which have closed. Terrible.

I hope that you, the planning committee, will consider what an asset Ryeworth is to our community and reject the development proposals.

14 Carisbrooke Drive
Charlton Kings
Cheltenham
GL52 6YA

Comments: 26th May 2016

We wish to object to the planning proposal for The Ryeworth Inn.

We have used the pub regularly for over 20 years and my wife worked there while [REDACTED] was landlord.

We find it very upsetting that yet another local, community pub is being closed, and another community resource given to the developers, due in part to inept management by the brewery/landlord. All of the long history of the pub is being lost to yet more modern houses.

We live just behind Ryeworth road and use the road frequently. It is an absolute nightmare for parking already and during school hours traffic is utter chaos so adding more housing and therefore more cars, this already poor situation will worsen, especially considering the width of the road, and the required access for emergency services and the local bus route.

We urge you to think carefully before yet more history is lost forever, and an already over-congested road is worsened.

I would dread to be a wheelchair user having to navigate my way down the road as it is, with cars parked all along the pavement, and an un-navigable raised section of narrow pavement.