

APPLICATION NO: 17/01609/FUL		OFFICER: Miss Michelle Payne
DATE REGISTERED: 18th August 2017		DATE OF EXPIRY : 13th October 2017
WARD: Charlton Park		PARISH:
APPLICANT:	LP & M	
LOCATION:	99 - 101 London Road Cheltenham Gloucestershire	
PROPOSAL:	Erection of new four storey building to provide 8no. flats (7no. two bed and 1no. one bed) following demolition of existing building	

REPRESENTATIONS

Number of contributors	8
Number of objections	7
Number of representations	1
Number of supporting	0

108 London Road
Cheltenham
Gloucestershire
GL52 6HJ

Comments: 28th August 2017

Retail unit is unsuitable and unsustainable in the location. Located on a busy road with double yellow lines. Nowhere for passing trade to park safely, without parking illegally and obstructing main route into Cheltenham. Very little footfall and no pedestrian crossing on the local road junctions, would make it dangerous for pedestrians crossing to retail units. No potential retailer would want to let the units, therefore they would remain empty. Six ways and the town centre are within easy walking distance. To force the developer to provide retail units is madness.

Much better to allow the development to consist of entirely much needed accommodation. Thus avoiding the need to increase the existing buildings height. Mitigating some of the effects on neighboring properties.

114 London Road
Cheltenham
Gloucestershire
GL52 6HJ

Comments: 30th September 2017

I live opposite the proposed site on London Road. I am sorry to see ATS go as they have been an integral part of the local community. I have concerns for the following reasons:-

1. The size of the development with only limited parking. 8 flats will undoubtedly mean more than 4 cars and parking is already an issue in the surrounding area. What consideration has been given to the increase in cars?
2. The disruption during the demolition and building of the new flats. This will be considerable. I object to the work starting at 8am on Saturday especially as the work will be starting at 7:30 all week. I also have concerns with the deliveries for the site. The access to the site is problematic both at the front and the rear of the building. How will this be made to work

without causing additional stress and issues for the people at the rear of the building and blocking access to offstreet parking or existing parking bays at the front of the building?

1 Avenall Court
Avenalls Parade
Cheltenham
Gloucestershire
GL53 7QQ

Comments: 11th September 2017

I have made several attempts to log my objections to the above proposal. I have encountered a variety of technical issues which has left me out of time and a little frustrated.

ATS is not only a commercial business the people who work there are an integral part of our community. They frequently help their neighbours with problems (personal not commercial). They are irreplaceable. It shouldn't matter what a thing looks like it's what's on the inside!

More specifically:

- 1 There will be more cars than the proposed 4 parking spaces , plus any visitors to the flats.
- 2 The building will block natural light from the opposite side of Avenall Parade as it is taller and deeper than the current structure.
- 3 Residents of the new build will overlook building opposite compromising privacy.
- 4 Access to the retail facility for deliveries will inevitably be up Avenall Parade as stopping on the London Road will be difficult due to the proximity to the junction. The Parade is too narrow to accommodate many commercial vehicles.
- 5 The surface of Avenall Parade is in a state of constant disrepair. Recently some potholes were professionally filled with tarmac but that was only possible with a considerable donation from ATS and me harassing neighbours for donations. I myself have filled in the potholes on and off for 20 years at my own expense. Last repair was commissioned by Avenall Court Management at our expense. - it will simply not withstand a further increase in traffic. It definitely will not withstand heavy commercial vehicles fully laden with construction materials. There is substantial threat to the underlying structures of the pipes and drainage
- 6 Avenall Parade is a narrow road. There is constant and full occupancy of the parking by the wall and constant access to Avenall Court and the rear of the London road properties required. There are also the 6 terraces with vehicles to accommodate. I do not want to be put in a position where I have to be in dispute with people over parking and access to my own property.
- 7 On a personal note I am a shift worker. I work a variety of shifts including late shifts and nights. I will not be able to sustain prolonged interruption to sleep patterns which are already erratic.
- 8 A commercial property will make a lot of refuse as will 5 more flats. The plans are not convincing of adequate or secure waste disposal which will not look unsightly. The council has plans to introduce numerous new bins for recycling. Will these be accommodated?

I have looked at the plans and the "supporting" evidence. On the surface it looks a workable proposition. May I ask "Has anyone from the planning department or the council actually walked up Avenall Parade to see what the reality of the situation is?"

I appreciate that this is out of time but as I stated there were issues trying to use the official route. I am passionately against this development. I have recently seen two local community

assets closed. Planning insisted that the function must be retained yet now permission has been granted retrospectively for conversion to solely dwellings. I speak of the Russell Arms and soon to follow I am sure the Beaufort Arms.

Thank you for listening. A short acknowledgement would be appreciated.

4 Avenall Court
Avenalls Parade
Cheltenham
Gloucestershire
GL53 7QQ

Comments: 5th September 2017

I have lived in Avenall Parade for 27 years. I bought my property in the knowledge that this is essentially a peaceful residential area.

ATS Tyres is an integral part of this community and is way more than a retail outlet.

My concerns are:

limited parking in the lane currently, without adding to this by adding further residential properties and retail - where will they park?

HGV access to the lane is already a challenge (ask your refuse drivers!) - and emergency services access is an issue already

Who will pay for the maintenance and repair to the lane? Currently a number of residents of Avenall Parade and single dwellings on London Road +ATS Tyres pay for this.

Major concern regarding the disruption and access to our properties whilst demolition and building work takes place. The lane is not equipped for construction traffic - therefore would need to be accessed from London Road - think about the disruption for the main road into Cheltenham that will cause.

Retail outlet? Will it be left empty and then retrospective permission sought for it to be a takeaway? I suspect the owner is more interested in capitalising on the revenue made from the residential properties.

I had written a long comment before but sadly didn't follow instructions and lost the lot on time out! Hence brief second attempt.

I am housebound currently and unable to attend meetings but sincerely hope that common sense prevails and concerns are considered.

Comments: 5th September 2017

In my haste to complete I omitted further concerns:

The proposed development will block the natural light into my property.

The development will also affect my privacy with the residential areas looking directly into my first floor home.

Dependant on the type of retail outlet it could potentially cause undue noise and disturbance. Currently ATS are closed on Sundays and Bank Holidays, usual working hours between 8am and 6pm.

Comments: 30th September 2017

It is clear that I will be completely overlooked. The properties will be able to look directly into my lounge and kitchen.

The building will block my natural light into my property.

Can I suggest/request that somebody actually comes and has a look at how this will affect me - and other residents of Avenall Court and Avenall Parade.

I have major concerns that only 4 parking spaces are being included for 8 flats - where are the other residents going to park? Avenall Parade simply cannot accommodate additional vehicles requiring parking.

As all other comments have said previously there is concern regarding access to the site as Avenall Parade cannot/will not withstand increased volume of vehicles, particularly HGVs.

Residents have regularly paid for upkeep to the lane but should not be paying for this and yet it will have an impact on all of us.

6 Avenalls Parade
Cheltenham
Gloucestershire
GL53 7QQ

Comments: 21st August 2017

Avenall Parade is made up of a mixture of mainly property owners and a few tenants. The London Road flats (in parallel with the length Avenall Parade) mainly consist of tenants.

Objection

I strongly object to aforementioned planning request for the following reasons

i. Access. As front access is located on a trunk road (A40) I believe a works compound will not be permitted and therefore all works and access will be required through Avenall Parade. As the road is in an extremely poor state (major pot holes), the road will not tolerate heavy vehicles and therefore this is not a viable option. Please be advised no photos highlighting the state of the road have been added to the proposal.

ii. Access continued (Completion of works). The road is unadopted by the council and therefore any further pressure will have caused subsequent damage once the works are complete, which cannot be rectified by property owners due to the cost implications. If this proceeds, this will be irresponsible of both the developer and council not to resurface.

iii. Access continued. As the road is narrow, this will cause major inconvenience to property owners with regards to parking.

iv. Privacy. The proposed four story building will directly overlook 6 Avenall Parade. The house was purchased on the basis this was the only property not directly overlooked.

v. Disruption and Pollution. The erection of the building will cause lengthy noise pollution for the duration of works for all occupants in the confined parade. Under the Human Rights Act, we have the right to enjoy our surroundings.

vi. Parking (Additional tenants). As it appears from the plans that a communal garden will only have limited parking, this will undoubtedly lead to additional vehicle occupancy, reducing valuable

road spaces. In addition, the application states there are presently 4 parking spaces available. This should be verified as there are no parking spaces available (only a bin store).

vii. Parking continued (Retail Unit). It also appears that the ground floor will be used as a commercial unit which will impact on parking. Consumers will seek parking at the back of the property causing significant issues with spaces and access.

viii. Demise. Further short term tenants will potentially add to the issues of excess waste dumping in the road, noise and parking. The noise will be practically noticeable if a communal garden is added, opposite the houses on Avenall Parade.

ix. Conservation. The proposal comments on the impact of the conservation of the area. ATS do their utmost to contain waste and are extremely conscientious of the area. They have also filled the pot holes on several occasions. The photos on the proposal demonstrate that the front of the ATS building is in good order and it is in fact the other buildings which require maintenance to enhance the conservation area.

Discussion

On the basis on the above points, consideration of the proposal will not be contemplated unless the following elements are discussed in advance.

i. Avenall Parade is fully tarmacked by the developer incorporating the entire length the parade due to vehicles turning round (to a high standard and to be signed off) prior to commence of works (in advance to allow for rest).

ii. The council adopts the road for ongoing maintenance in advance of works and provides free marked residential parking spaces. This includes immediate access on the right (next to the wall) as you enter the parade. At present a number of workers in the area use this space to park vehicles and this will only increase with further tenants and customers.

iii. Written guarantees are presented by the developer that works will not inconvenience occupants and penalties will apply. This should also be supported throughout by the council and any issues should be resolved quickly.

iv. The property owners of 6 Avenall parade are fully compensated for the devaluation of the house. To reiterate, the house was purchased a few years ago as it is the only property that was not directly overlooked by other tenants. Once the proposed building is erect, the tenants will have full view into the lounge and bedrooms and this will have an impact on its value. Even if the 45 degree vision splay is installed on windows this will not limit the overlooking aspect.

v. A new door and windows have been recently fitted (June 2017) to 6 Avenall Parade and two large garden patios have been installed with new furnishings and the work from proposed with create debris. This will have an impact on the visual aspect of the house and garden and will require regular maintenance. Therefore maintenance to the house will be required for the duration of the works by the developer. The photos from the application must have been taken 18 months to 2 years ago and are not recent.

In addition

i. The proposal states there are presently 4 parking spaces available. This is not the case and will require verification.

In accordance with the local plan, the council are asked to visit their policies when conferring on decision making.

POLICY CP 4

Note 1

In assessing impact on amenity, the Council will have regard to matters including loss of sunlight and/or diffuse daylight (see note 2), loss of outlook, loss of privacy (see note 3), and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lights (see also policy CP 3 (sustainable environment), hours of operation, and travel patterns, including heavy goods vehicles (see also policy CP 5 (sustainable transport)).

POLICY CP 6

Note 2

Compatible means unlikely to cause harm to amenity by loss of privacy or disturbance from noise, smells, fumes, vibration, glare from artificial lights, hours of operation or travel patterns.

Built Environment.

5.26 Within Cheltenham's (Central) conservation area, both grand and modest 19th century buildings and structures, as well as good examples of 20th century buildings, contribute to the special character of each area. Such buildings will rarely receive consent for demolition, since it is their cumulative presence, which establishes the essential character and appearance of the conservation area. Demolition of buildings forming part of a terrace or group will be particularly resisted. Where the existing building can still be put to beneficial use, the possibility of realising a higher redevelopment value of the site or of developing a more convenient or profitable new building will not be adequate justification for demolition.

5.32 The Council wishes to halt the further deterioration of back lanes and to see their environmental improvement wherever there are opportunities.

5.33 New development in these areas can lead to parking and access problems, and it may be difficult to accommodate an acceptable form of development in such restricted areas without having an adverse impact on the light, privacy and amenity space of adjoining properties. It is often difficult to overcome these requirements owing to the problems of restricted road widths, high densities and the proximity of the rear of large buildings.

5.34 Open parking would in most cases be contrary to the sense of enclosure along back lanes, and would need to be behind gates of a suitable character - normally vertically boarded. In applying policy BE 3 (demolition in conservation areas) to development in such areas, particular note will be paid to any car parking or servicing problems arising from the existing use or conversion of the main terrace properties.

Economy

9.20 In view of the limited opportunities for the development of new employment sites in the urban area, the town cannot afford to lose existing employment land and premises to alternative uses.

Added comment, ATS has employed two to three people for extensive years. Although retail units will be added, the chances are these will not be filled, as with the other retail units on London Road, these stay empty for some time or businesses come and go quickly (even though parking can be had opposite). Retail units are not a valid reason for building development (and there will be no parking).

Transport

14.27 The County Council as Highway Authority will consider adoption of a private road only if it is brought up to the appropriate maintainable standards.

Added comment. This cannot not be provided by the few property owners, as tenant Landlords will not contribute. Therefor this should be provided by the developer or council.

In summary

Please be advised that if these even if above points are considered by developers, the council and occupants this does not guarantee acceptance from the occupants. The points should be open to discussion and if not considered by the developers and HFP architects, the planning proposal will be fought every step of the way to ensure that residents are considered, compensated and not inconvenienced.

3 Avenalls Parade
Cheltenham
Gloucestershire
GL53 7QQ

Comments: 23rd August 2017

As a resident of Avenall Parade I do believe that this proposal will be beneficial to the area and more in keeping with the current period architecture. However I do have some concerns:

1 I believe that there will be major disruption to Avenall Parade throughout the lifecycle of this project. Avenall Parade is a small/narrow non-through road in which it is difficult enough to navigate with a normal sized vehicle let alone the types of heavy vehicles that will be needed for a project this size. There is also the concern of homeowners not being able to access their properties.

2 The road of surface of Avenall Parade is already in a state of extreme disrepair. As an Un-adopted road, which we DO NOT want to become Adopted, it is up to us as residents of Avenall Parade to Maintain the road surface; however since giving permission to the residents of London Road to use it as an access point to their properties and providing them with parking whilst sacrificing our front gardens, the road surface has suffered immense deterioration. The only residents that have attempted to repair the road have been those of Avenall Parade and ATS Tyres and I believe it is time that the London Road residents also started taking responsibility for the upkeep - therefore are there plans by the developer to resurface the road after the project has been completed as there will no doubt be more damage done due to the increase in traffic especially heavy vehicles?

3 The final point is more of an observation. I truly believe the manner in which the staff at ATS Tyres have been treated by the landlord is beyond appalling. They were not even provided with the same notification letter that the residents of Avenall Parade received and have been completely blindsided by this proposal. They are now looking at either being relocated in the best case scenario or being jobless in the worst. The staff at ATS have been exemplary members of our small community of the years and were due a lot more respect in this situation. It makes me wonder if this is how the landlord of the property conducts themselves in business at the beginning of a project how will they proceed through the rest of the venture? One would hope with more decorum!

2 Avenalls Parade
Cheltenham
Gloucestershire
GL53 7QQ

Comments: 5th September 2017

strongly object to this planning application. While HFP have focused on the improvement that the development would make to the front along London Road, they have failed to take any

consideration to the residential properties which sit behind on Avenalls Parade and those residents on London Road who use Avenalls Parade to access their homes. The proposal actually refers to Avenalls Parade as an access service lane, it is not such but a private road that property owners live along!

The grounds for our objection are:

I. During Development

- Access

o Avenalls Parade is a private road and in a poor state with numerous pot holes, the road will not be able to cope with heavy vehicles required for this development and therefore Avenalls parade is not a viable access option. The current road surface will totally disintegrate before, during & after any proposed new retail development works, due to the nature of the weight of heavy delivery vehicles and increased residential vehicular traffic.

o The road is also quite narrow and will therefore be a cause of concern for those who park along it, with potential damage to their vehicles by passing large vehicles but also inconvenience to property owners when parking

o Where will the works compound be located, vehicles/large machinery? There is no space for such a compound unless you impact those who live in Avenalls Parade and block access to our properties

- Disruption

o There is no information as to how long this project will take to complete and therefore this causes concern for how long the residents will have to put up with inconvenience of parking/access issues but also the noise and pollution caused throughout the build

II. Proposed Build

o With the retail units already in place across the road from this proposal, the close proximity of the town centre and Charlton Kings shop, I see no requirement for further retail units in this area.

§ Not only is there no parking for customers, what about the staff who will work in these units.

§ Also the increase in deliveries these units will create which will again use Avenalls parade for access.

§ The same issues apply as above it is not a an adopted road and therefore increase in damage will be caused to the road.

o With the additional units will bring increase in waste as the back of the property onto Avenalls parade. There is already issues with the council often forgetting to collect the refuse this will increase waste being left behind

o 5 flats, 1 of which is a 3 bedroom flat and only 4 parking spaces is ridiculous.

§ The proposal states that there is parking already for 4, this is incorrect.

§ By not provided adequate parking is only going to cause further issues for the residents of Avenalls parade, we are already in a situation where vehicles are dumped in the entrance to Avenalls parade and people also use it to park for work. We already live with an issue whereby friends and relative of those who live on Avenalls Parade have no parking this will only increase.

§ The other properties on London Road which have been converted into flats have removed any area for a garden to utilise parking facilities for those who live in them. This should be a requirement of this proposal as a minimum

Overall the following needs to be considered for this proposal:

o Removal of the retail units

o Removal of the communal garden area to be used for parking

o Reduce the size of the build to contain 4 times 2 bedroom flats

If this build is given the go ahead then the following needs to be considered

§ Location of the work compound

§ Replacement of the road once the building works have been completed

Finally HFP state that a complete scheme of flats inappropriate by planning officers, why is this so?

Flat 3
97 London Road
Cheltenham
Gloucestershire
GL52 6HL

Comments: 23rd August 2017

The proposed changes will not create any further jobs for the area, and within five minutes walk we already have shops such as 2x Sainsbury's locals, Esso Garage, Co-Op, Premier to name but a few.

The plans lack road access for deliveries, times the proposed shops will be open and noise disruption for neighbouring residents in small proximity. Plus, there are many unused commercial premises in the area, which should be renovated and brought back to the community instead of destroying a business and building.

The existing business is thriving and is an integral amenity as there is nothing similar surrounding it, and what is the need to demolish a structurally sound building when aesthetic plans like this should be concentrated to the town centre and pedestrian only streets.

Residents have not been informed of these plans, and the proposed plans at the rear would not only restrict light on the buildings next to it but also incur months if not years of on going building work and disruption to residents with regards to demolishing and moving materials on and off site.

Therefore I would like to propose this application is rejected, and all future applications to undergo significant building work on this site.