

APPLICATION NO: 17/02447/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 16th December 2017		DATE OF EXPIRY : 10th February 2018	
WARD: Prestbury		PARISH: PREST	
APPLICANT:	Mr & Mrs Minihane		
LOCATION:	St Francis, Park Lane, Prestbury		
PROPOSAL:	Demolish existing and construct a new detached dwelling		

REPRESENTATIONS

Number of contributors	22
Number of objections	22
Number of representations	0
Number of supporting	0

The Chase
Park Lane
Prestbury Cheltenham
Gloucestershire
GL52 3BN

Comments: 17th January 2018

We would like to object to the proposed demolition of St Francis and its replacement with a new, much larger property. The volume of the new house would be 75% greater than the existing building and would be out of keeping with the size and character of the other properties in Park Lane, thereby compromising the integrity of this unique road. Although most of the properties here have been tastefully extended, none have been enlarged by the percentage proposed here. The height of the property could also be an issue for immediately neighbouring properties in terms of loss of light and privacy. Most importantly, St Francis is a perfectly sound and attractive building and would comfortably house a medium to large family as it currently stands. To knock it down completely would be a great shame, not to mention a shocking waste of a good quality home that many would aspire to live in.

Cotswold
Park Lane
Prestbury Cheltenham
Gloucestershire
GL52 3BN

Comments: 2nd February 2018

I object to the demolition of this character property and to the building of a new larger property that does not match the character of the existing properties in the area.

Harbury
Spring Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BW

Comments: 1st February 2018

Letter attached.

17 Shaw Green Lane
Cheltenham
Gloucestershire
GL52 3BS

Comments: 4th February 2018

I do not think that planning permission should be granted to demolish this charming property, one of a pair, which is in keeping with the rest of the properties in Park Lane.

The proposed replacement is not in keeping with the neighbourhood.

If permission is granted - despite the large number of objections - please can the Case Officer include a clause in his Report to ensure that the soakaway is constructed properly and that calculations are submitted by the developer to show that it will be adequate to ensure that no flooding will be caused, a big problem in this area because of the heavy clay soil.

I would like to request that this Planning Application goes before the Planning Committee.

Byways
Spring Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BW

Comments: 12th January 2018

I strongly object to demolishing a perfectly good house to replace it with something which is going to take nearly the whole of the site and will look ridiculous in relation to all existing properties. This has happened in Spring Lane with the construction of the 'watch tower' (Moat Corner) and the resulting nuisance from light pollution and domineering occupants, spoiling what was once a lovely peaceful place to live.

The Council should take heed of the views of neighbours who have endeavoured to enjoy their homes without upsetting others.

Beechwood
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 29th January 2018

We are writing to object to the proposed demolition of the above property and also its replacement with a far larger modern building. We live in Park Lane (Beechwood) and would be directly affected by these proposals.

Park Lane is a characterful area and may become a Conservation Area in the near future. We feel that the proposals for St Francis would ruin the character of the street just when the quality of the existing area and dwellings are about to be recognised by the new designation.

The proposed new dwelling is far too large in scale and would not be in keeping with the other houses in the street. It is also too tall and would dwarf its neighbours.

We are concerned at the loss of garden area (and drainage) and also object to the risk to important trees.

Please stop the proposed demolition of St Francis and its replacement with too large a modern building which would be out of character for the street and significantly detract from the amenity of this proposed Conservation Area.

Wits End
Park Lane
Prestbury Cheltenham
Gloucestershire
GL52 3BN

Comments: 18th January 2018

We are writing to object to the proposed demolition of St Francis and the construction of a new home in its place. The reasons for our objections are as follows:

1. The scale of the new building is disproportionate to the size of the plot, and to other homes in the street. To increase the volume of the home by almost 75% (far exceeding the allowance in local planning policy) and its height by 1.5 metres would not only be out of keeping with other homes in the Park Lane, but also unfair to its surrounding neighbours. It would set an unhelpful precedent on what is a beautiful road of lovely houses.
2. The proposed design for the new home is also out of keeping with the existing homes on Park Lane. The existing building of St Francis is architecturally and historically interesting. It's an attractive home, and to knock it down seems such a waste. To replace it with a new-build of Cotswold stone would jar with and spoil the aesthetic of the rest of the street, particularly as it would be so huge in comparison to the other homes.
3. The introduction of roof terraces and balconies will interfere with the privacy of St Francis' neighbours, as well as being out of keeping with the other style of homes around it.

We are concerned that allowing a lovely home to be destroyed on a street in a potential conservation area and replaced with something that is far too big and out of keeping with the street would set a very unhelpful precedent. Park Lane is an attractive and friendly place to live and we seek the Council's support in preventing it from becoming a target for overdevelopment.

Chase House
Bowbridge Lane
Prestbury Cheltenham
Gloucestershire
GL52 3BJ

Comments: 19th January 2018

We would like to object to the building of a new property at this location for the following reasons:

It requires the wholly unnecessary demolition of the existing property, which could set a precedent. St Francis is not some derelict building beyond saving, but a perfectly habitable building. There is no sound reason for destroying it.

St Francis is one of a pair of Lutyens inspired 'Butterfly' properties. Both St Francis and its neighbour Kennan are very rare examples surviving to this day. For historical and architectural reasons it is essential that they must be preserved as a vital part of our heritage.

One of the prominent features of Park Lane is the Mock Tudor style of cladding. Again, both St Francis and its neighbour Kennan share this style. The proposed house does not.

The proposed building is much larger, both in area and height, than both St Francis and the other properties in this road, and as such would dominate them.

The inclusion of a glass balcony will jar with the local area, since there is no such feature anywhere on the street. Additionally the balcony would overlook other properties, thus denying their occupants their privacy they currently enjoy.

This modern building will not fit in with the rest of the road. There are many other roads in the village and surrounding areas where old and new already sit side-by-side where this building would not look out of place. Park Lane is probably almost unique in that all the properties still retain a similar, old-style appearance. This building will end that.

The birch tree on the site, recently protected by a Tree Preservation Order, may well be damaged irreparably by the work to demolish and build again.

Hermione
Park Lane
Prestbury Cheltenham
Gloucestershire
GL52 3BN

Comments: 18th January 2018

We live in Park Lane and objected most strongly to the previous planning application. Main grounds being that the unique style of our road was completely disregarded when planning the replacement house. The most recent plan is an improvement but it still does not reflect Park Lane's style. In fact the size of it ensures that it would dominate the road and destroy the consistency of the mock Tudor style of the vicinity.

From the plans we see that all of the adjacent houses will be overlooked by this house. This is an infringement of their privacy and is unnecessary. St Francis is architecturally of merit and, being one of a pair, is part of our local heritage.

Finally, does it not seem ridiculous to be demolishing a fine house in an area which is soon likely to be within the Conservation Area.

Craignethan
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 13th January 2018

With reference to the above application we object most strongly to the proposed plan for the following reasons:

The present building

St Francis is a very solidly constructed building and there is no valid reason at all why it should be demolished. It is an extremely attractive house, which blends in naturally with all its close neighbours, in particular with its twin, Kennan, adjacent to it. Indeed it sits very comfortably with all the houses in Park Lane. Its scale and size fits in with the whole look of the street..

Butterfly Design

One unusual feature is its 'Butterfly' design, the origins of which date back to the early 17th century and was revived by such eminent architects as Norman Shaw and Sir Edwin Lutyens in the late Victorian era and the Arts and Crafts movement. Both St Francis and its neighbour Kennan are very rare examples surviving to this day. For historical and architectural reasons it is essential that they must be preserved as a vital part of our heritage - ideally as 'listed' buildings.

Mock Tudor Style

One of the prominent features of Park Lane is the Mock Tudor style of cladding. It is based on the designs of the mediaeval ages and the Tudor period. The revival of this feature is also associated with the Arts and Crafts movement and the same eminent architects Norman Shaw and Sir Edwin Lutyens, among others, were great advocates of it, using it in many of their designs. St Francis is no exception, having this feature on parts of the house, particularly over the door entrance, and thereby easily integrating with the other houses in the street. Its adjacent twin, Kennan, also displays this Mock Tudor feature. This style gives a unified whole to the area. Thus St Francis can boast of having two historical and architectural styles and this is very rare. It is vital therefore that St Francis is preserved.

Improvements over the years

Most houses in Park Lane are more than 100 years old. Over this time some additions have been made to the houses but always with sensitivity to neighbours and the area, never increasing their size, scale or footprint vastly, nor raising their height to dominate or intrude on neighbours' privacy. This observance to maintain the quality and character of the area has always been of paramount importance when making such additions or improvements, ensuring that any work blends in with the environment. All residents have shown tremendous respect for each other and the quality and special character and uniqueness of Park Lane and its heritage.. This does not appear to be the case with the plan to replace St Francis. It certainly does not fit in at all! The only indication we received before the planning applications were 2 images (computerised ie CGI) of a very large and unsuitable house, as if the matter was fait accompli!

The proposed replacement

The proposed replacement for St Francis would go completely against the ambience and character of the road. Dominating by its bulk and height virtually all of Park Lane it would be totally out of place and destroy the whole appearance of the area. The size of the house shown on the images is misleading because the actual house, if built, would take up much more of the plot than that shown on the images.

National Planning Policy Framework (NPPF)

The plan for a floor space of over 300 square metres is almost twice the area of the existing house. And its volume will be more than 75%. The height is 1.5 metres higher (nearly 5 feet!). Not only will the size and height dominate the area it will impinge on the privacy of at least three of its adjacent neighbours. It will reduce the garden to virtually nothing. On the details of size and height alone it is totally contrary to the specific terms of the NPPF (National Planning Policy Framework) in particular with reference to paras: 53 'causing harm to a local area by virtue of massive development of a site'; 58 'failure to respond to local character'; 61 'failure to integrate into built and historic environment'; and (in the case of its neighbours) 66 'failure to take account of the legitimate interests of residents affected by the proposals'.

The Cheltenham Local Plan

The Cheltenham Local Plan Second Review proposes an even tighter new replacement dwellings policy (GB2) that states that a new building will not be 'materially larger than the one it replaces'. It is quite clear that the proposed house to replace St Francis would not be allowed at all under that caveat, besides being in contradiction to the terms of NPPF para 66: 'failure to take account of the legitimate interests of residents'.

Glass Balcony and other materials

The inclusion of a glass balcony as shown on the South West view in the computerised image of the proposed building will jar with the local area, since there is no such feature anywhere on the street. Its reflection of the sun, which will shine towards the balcony, will almost certainly impinge on houses opposite. This glass balcony overlooks the road and is totally out of place. The materials of the proposed build such as its 'pseudo' Cotswold stone do not complement the materials used anywhere in the street and certainly not with the adjacent Kennan which has natural stone. And the design is totally out of character.

Privacy

There is a very serious issue of privacy, especially with balconies which overlook Kennan, Little Monk and Green Willows. This is inconsistent with the policy regarding the vital importance of privacy (NPPF para 66 : 'failure to take account of the legitimate interests of residents').

Flooding

There is a serious danger that flooding would occur from the soak-away which runs towards the moated area. In heavy rain the moat fills quickly and any further addition would join the streams in the street and cause flooding to neighbouring properties, especially those opposite. The heavy clay soil does not allow for the water to drain off easily and quickly. This is compounded by there being hardly any garden at all, taken up as, it would be, by the enormous size of the building. What is left is mostly paths and hard standing, thus making it even harder for water to soak away.

Effect on the trees

The huge size of the building, which virtually fills the plot, also will affect the trees, in particular the Preserved Order birch whose roots will be damaged in any building work close to it. That would lead to its possible demise, thus setting a dangerous precedent for other trees in the road. Any such destruction disturbs the biodiversity, habitat and general aspect of the street.

The Prestbury Moated Scheduled Monument

The Prestbury Moated Scheduled Monument (under Historic England) lies directly to the north of the site. Since the proposed build's footprint is so large it is very close to this border which abuts the Monument. Any building or other earth work in this area could disturb or seriously damage important archaeological remains and artefacts.

Green Belt (Cheltenham Local Plan Review)

Park Lane lies within the Green Belt and any development which disregards the spirit and terms of the Green Belt (see criteria C) will have a serious and dramatic impact on the openness of the area. The new build would increase the volume by 75%. This is 5 times the present allowable increase of 15%, as stipulated in the current regulations (Policy CO7). This sheer increase and size of the proposed replacement goes completely against both the regulations and the purpose of the Green Belt policy and is therefore totally unacceptable. The permitted increase in volume will be even less under the regulations in a future status as a Conservation area.

Conclusion

We all take great care of our locality which we are proud of. We always ensure that any addition or improvements to our own houses are carried out with due consideration and sensitivity and do not affect our neighbours adversely.

Park Lane is unique and is an area 'of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance' - the criteria for a Conservation area.

The proposed plan for demolition would not 'preserve' St Francis, a house undoubtedly of intrinsic historical and architectural merit. To arbitrarily demolish St Francis would be a dreadful disaster - in fact a catastrophe. Earlier applications have allowed some additions to St Francis without demolishing it. These alone underline the fact that there is no structural or any other reason for it to be destroyed.

The proposed replacement would not 'enhance' the street in anyway. It would be a monstrous eyesore which would destroy the complete uniqueness, harmony and special character of Park Lane.

We urge the Council Planning Authority most earnestly to take into account our concerns and objections and refuse this application.

Gable Cottage
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 7th January 2018

The earlier plan to rebuild St Francis, submitted and later withdrawn in August 2017, was met by strong objections from almost all Park Lane residents. Their objections centred on the damage that would be done to the visual unity and character of the early-20th-century estate, which householders over the last few decades have been careful to respect when extending and modernizing their houses. Substituting a further plan for a complete rebuilding, albeit a design somewhat less aggressively modern than the previous one, in no way addresses those objections. Approval of such a plan would set a dangerous precedent in the context of this well-preserved estate and would further add to a recent tendency to allow the gratuitous rebuilding of completely sound dwellings. The applicant should be persuaded to revert to his original plan of making sympathetic extensions, while preserving the visually-interesting 'butterfly house' style of the south front to the lane. We, therefore object strongly to this proposal.

Morar
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 19th January 2018

We are very concerned at the size of the proposed house which seems excessive. It will not fit with the street scene, is too big for the plot and the height will impact upon the privacy of adjoining dwellings.

It will be a huge shame if the existing building is demolished, and massively detrimental to the unique character of Park Lane.

Edge House
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 15th January 2018

I refer to the above planning application.

As the owner of Edge House, directly opposite St. Francis, I invite you to consider my extremely strong objection to the demolition of a sound and well designed stone property, built as part of the

original development of Park Lane. Vandalism is not in my opinion too strong a word. The replacement proposal is a Cotswold type pastiche that drives a coach and horses through the architectural integrity of Park Lane and on a massive scale that dominates and overlooks neighboring houses. It is quite simply unsuited both to the plot and surroundings.

Specifically the proposal should be rejected on a number of planning policy grounds set out below.

National Planning Policy

The proposal is in conflict with national planning policy as set out in the National Planning Policy Framework (NPPF). The following paragraphs particularly apply: para.53 (causing harm to a local area by virtue of massive overdevelopment of a site); para.58 (failure to respond to local character); para.61 (failure to integrate new development into built and historic environment); para.66 (failure to take account of the legitimate interests of residents affected by the proposals)

Local Planning Policy

The application site is located in the Cheltenham - Gloucester Green Belt as defined in the Cheltenham Local Plan Second Review, the statutory Local Plan for the area. As such, Policy CO7 of the adopted Local Plan applies in that the proposal is for a replacement dwelling in the Green Belt. This policy allows for a dwelling to be replaced providing it does not exceed the volume of the existing by more than 15% or 70 m³ whichever is the greater.

With this new application, the proposal is for more than a 75% increase in volume (773cub m. compared with 437cub.m. for the existing).

The Council should also take into account that the emerging Cheltenham Local Plan proposes a new Replacement Dwellings policy GB2 which is even more restrictive than CO7. This new policy provides for a replacement dwelling to be "not materially larger than the one it replaces". Not only is the proposal therefore in conflict with existing statutory policy, it is also in conflict with the policy that will form part of the new Local Plan.

It has been suggested that the measurement comparison is to be made between what has been previously granted permission on the St Francis site and the proposed new dwelling so that material impact can be judged. That however would be totally wrong in policy terms and therefore in law. The most recent permission was granted for an extension and refurbishment scheme and was quite properly not considered against the replacement dwellings policy. This new scheme, however, is for a replacement and must be considered against that policy CO7 and nothing else. It is irrelevant to take into account any extensions that may have been permitted, because the permission for those extensions was not implemented.

A second element to the CO7 policy is in relation to the impact the proposal will have on the openness of the Green Belt (criteria c). The footprint of the proposed dwelling is more than twice the size of the existing (177sq.m. compared to 83 sq.m. existing) thereby having a dramatic effect on openness. It is noted that the Council made this point to the applicant in the pre-application discussions.

The Green Belt boundaries were drawn round Prestbury and in particular to include Park Lane, Shaw Green Lane and Spring Lane for a reason. That reason was to ensure that there was no over intensification of development in these areas. The retention of a balance between built form and green space was considered essential to the protection of the character of the outer fringes of the village. This proposal is in direct conflict with this objective and would create an unacceptable precedent.

Should the Council seek to support this application it will be in total disregard of its own statutory policies. The breach of the Replacement Dwellings policy is unequivocal and massive. The

applicant has provided no justification for such a radical departure from policy, presumably because there is none.

Proposed Conservation Area

On 11 December, 2017, the Council approved the Cheltenham Local Plan for consultation purposes. Following consultation, the Plan will proceed to Examination and eventually adoption. This Plan contains a significant proposal for Park Lane to become a Conservation Area. This proposal is a confirmation of the uniqueness of Park lane both in historic and architectural terms. There is nothing similar in the rest of Cheltenham.

While the Park Lane Conservation Area is currently a proposal, local residents will wholeheartedly support it. It is therefore certain to happen once the appropriate procedures are completed. If this were in existence now there would be no question that this application to demolish and rebuild would be rejected out of hand for conservation reasons alone. It does not need to be spelt out that this new dwelling would neither " preserve nor enhance, the two fundamental tests in dealing with development in conservation areas.

The proposed Conservation Area merits significant weight in consideration of this application by the Council. It would be nonsense for the Council to allow this application and then to complete the designation process when this house had already irrevocably damaged the street scene.

Even without the Conservation Area, the Council has a duty to protect historic environments. Now that an analysis of Park Lane has been carried out in the Local Plan review, the Council has categorically concluded that this is indeed a historic environment worthy of conservation area designation. Any attempt therefore to support this application would represent a failure in carrying out the Council's responsibilities to implement established and clear national planning objectives.

Architectural Quality of St Francis

This attractive house should be protected for its own sake as well as for its more general contribution to the street and to the proposed Park Lane Conservation Area.

Loss of Trees

Since the last application, a mature birch tree situated on the frontage of St Francis has become subject to a Tree Preservation Order. This was strongly supported by local residents and the Council is to be congratulated for this. The new proposals will however place this tree under threat. The canopy of the tree will virtually touch the proposed property and the root system will be extensive, This will bring pressure to bear in the future for its removal or radical pruning. In this regard, the computer-generated images submitted with the application are misleading. The scale of the house proposed in relation to the protected tree is unacceptable.

Conclusions

Because the proposal confounds approved policy of the Borough Council and national Policy as well as emerging local planning policy and shows total disregard for its environment, there are no defensible grounds for approving this application.

Heath Lodge
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 11th January 2018

I would like to object very strongly to this second attempt to steal our street from us.

Park lane is a unique place in Cheltenham enjoyed not only by the residents, but by the many walkers and dog lovers of the town as well as visitors and race-goers. Most residents have lived here for a long time and are from a wide mix of backgrounds. Every single other property in the street has respected the original character which is why it is so special.

This new proposal, while an improvement on the previous one, still fails to address our concerns as it is still demolishing a beautiful period house and replacing it with a massively overbearing modern design that is totally at odds with all other properties.

The selection of the building materials defies all logic for a new build here. Surely as a minimum any new design should be in keeping with either the white fronted, red roofed cottages or the stone of St Francis. I see no need reason to introduce another style. A Cotswold stone and black roof is about as far away as you can get.

The proposal will completely destroy the existing street scene, set a precedent and open up the flood gates for speculators. Should the proposal be approved, the community will retain their current anger towards the owner which is also not something anyone wants.

St Francis itself is a wonderful looking building. We all wondered about it's (and Kennan's) aesthetics and heritage and at least these proposals have brought this to light. The rare Edwin Lutyens inspired butterfly design is wonderful to see and it would be an appalling thing to witness its destruction. We believe it should be preserved for it's own sake, in fact we'd like to see some kind of preservation order placed upon it and Kennan.

The beautiful Birch tree that was threatened by the last proposal will still be threatened, regardless of the TPO. The footings of the building will interfere with the doubtless extensive root system of such a mature tree. As the footings are dug, they will cut through parts of it, giving rise to potential infection and death of the tree. Birch trees are very thirsty creatures and the roots will continue to search for water potentially interfering with the foundations and ultimately causing subsidence. If the proposal is built, future owners would then be able to cite the tree as being a threat to their property. All of this is unnecessary in our view.

In times of heavy rain, Park Lane can become a river. The drains usually cope OK, but with the hugely increased footprint of the proposal, drainage from that area will be reduced and more water will flood into the road and Kennan. We have yet to have water in our house, but if it gets over the threshold of our drive there would be no defence. Anything that contributes to an increase in water in the street must be stopped. We would be asking serious questions of council were this to happen.

I understand that the Local Planning says that when demolishing and rebuilding on a plot, the area mustn't increase by greater than 15%. Clearly this is a lot more than this (nearer 70%) and will have a huge effect on the openness of the street.

It seems to me the artists view leaves a lot more space at the front than the layout plans suggest. Also the tree is shown much smaller than reality. I don't believe they give the true perspective of the proposal, I hope you will discount those images in your consideration.

We will continue to fight against any plans to destroy this perfectly good and historically interesting building and our lovely street in which it sits.

Crossways
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 12th January 2018

I refer to the above planning application and your letter to us of 18 December, 2017 requesting any comments before 8 January, 2018.

The timing of this second application to demolish St Francis, is in our view cynical and seems to have been deliberately timed to coincide with the time when many people are away for the Xmas/ New Year period. We are grateful that the Council has extended the date for the receipt of comments to allow a proper opportunity for residents to respond.

We commented at the time of the last application that neither the applicant or his 'plan drawer' had sought to engage with any of us, as potentially future neighbours. Nor for that matter had there been any pre-application discussion between them and the Borough Council. Presumably in an attempt to answer this criticism, some of us had a couple of very misleading computer generated images hand delivered a day or two before the application was submitted. Hardly what one would call consultation. Also, I note from the application forms that a summary of pre-application consultation sets out the salient points made by the Council, most of which appear to have been ignored by the applicant. You will not be surprised that Park Lane residents are extremely angry over the consideration they have been shown..

Below, we set out our main objections to the application, having regard to the plan documents and particulars submitted. They fall into two categories - general objections which address the overall impact that the proposal will have on the locality and detailed objections to the specific impacts on adjacent property.

General Objections

National Planning Policy

The proposal is in conflict with national planning policy as set out in the National Planning Policy Framework (NPPF). The following paragraphs particularly apply: para.53 (causing harm to a local area by virtue of massive overdevelopment of a site); para.58 (failure to respond to local character); para.61 (failure to integrate new development into built and historic environment); para.66 (failure to take account of the legitimate interests of residents affected by the proposals)

Local Planning Policy

The application site is located in the Cheltenham - Gloucester Green Belt as defined in the Cheltenham Local Plan Second Review, the statutory Local Plan for the area. As such, Policy CO7 of the adopted Local Plan applies in that the proposal is for a replacement dwelling in the Green Belt. This policy allows for a dwelling to be replaced providing it does not exceed the volume of the existing by more than 15% or 70 m³ whichever is the greater.

With this new application, the proposal is for more than a 75% increase in volume (773cub m. compared with 437cub.m. for the existing) i.e. by more than 336 cub.m.! This complete disregard of policy is sufficient reason in itself to refuse this application out of hand.

In fact, this new proposal is for virtually the same footprint as the previous application. The only thing that has changed to reduce the volume is the removal of the third floor. It is tantamount to the same dwelling since there is very little to prevent the applicant coming back at a later date and adding rooms in the roof space to achieve what was originally intended.

The Council should also take into account that the emerging Cheltenham Local Plan proposes a new Replacement Dwellings policy GB2 which is even more restrictive than CO7. This new policy provides for replacement dwellings to be "not materially larger than the one it replaces". Not only is the proposal therefore in conflict with existing statutory policy, it is also in conflict with the policy which will form part of the new Local Plan.

It has been suggested that there should be a comparison made between what has been previously granted permission on the St Francis site and the proposed new dwelling so that material impact can be judged. That however would be totally wrong in policy terms and therefore in law. The most recent permission was granted for an extension and refurbishment scheme and was quite properly not considered against the replacement dwellings policy. This new scheme, however, is for a replacement and must be considered against that policy and nothing else. It is irrelevant to take into account any extensions that may have been permitted.

In any event, even if that comparison had some validity and it has not, the new proposal is some 22% or 140cub.m. larger in volume than what has been permitted, making this proposal still wholly unacceptable in terms of policy CO7.

A second element to the CO7 policy is in relation to the impact the proposal will have on the openness of the Green Belt (criteria c). The footprint of the proposed dwelling is more than twice the size of the existing (177sq.m. compared to 83 sq.m. existing) thereby having a dramatic effect on openness. Again, the conflict with policy is unacceptable. It is noted that the Council made this point to the applicant in the pre-application discussions.

The Green Belt boundaries were drawn round Prestbury and in particular to include Park Lane, Shaw Green Lane and Spring Lane for a reason. That reason was to ensure that there was no over-intensification of development in these areas. The retention of a balance between built form and green space was considered essential to the protection of the character of the outer fringes of the village. This proposal is in direct conflict with this objective, would create a massive precedent and if repeated would utterly destroy the semi rural integrity of the locality.

A significant point needs to be made at this juncture. Should the Council seek to support this application it will be in flagrant disregard of its own statutory policies. The breach of the Replacement Dwellings policy is so great that there is no margin for negotiation or justification. Indeed the applicant has provided no justification at all for such a radical departure from policy, presumably because there is none, apart from his own personal wishes.

All residents of Cheltenham expect the Council to act reasonably and consistently in applying its own adopted policies. Failure to do so would be a gross dereliction of duty and would be capable of being challenged in the Courts, There should therefore be no argument in summarily rejecting this application on this criteria alone, notwithstanding the further issues raised below.

Effect on the Street Scene

Park Lane is a unique street of 16 properties, 13 of which were built in 1908/1911 together with a property known as Hanbury at the top of Spring Lane. Of the remaining, one- Morar- was built in the 20's. Two further properties - Kennan and St Francis - were also added in the 20's, Finally, two much newer properties were added in the 50's beyond the end of the street, one of which, Little Monk, abuts the application site.

The street was built as Park Estate and was intended to house managers and workers for local employment. The properties were modest and built primarily of block and render with clay tile

roofs. Although most of the properties on the street have been improved and extended over the years, the general impression is one of medium sized dwellings with good sized gardens, with lots of trees to the front presenting cohesion and integrity worthy of protection and conservation.

This latest proposal would seek to add a still massive property to the street scene, a Cotswold 'pastiche', totally out of character with all other properties on Park Lane and lacking any significant architectural or historic interest.

Architectural Quality of St Francis

The dwelling which is proposed to be demolished to make way for the new proposal is a perfectly sound Cotswold stone house which has planning permission for two schemes involving extension and modernization. Presumably the applicant would not have submitted these schemes unless the building could be satisfactorily refurbished and extended. It is structurally sound and in decent condition and as such, it is perfectly capable of being retained for its own merits and therefore its place in the street scene protected. It is an excellent example of an 'arts and crafts' style house from the early 20th century and is in fact an example of a 'butterfly house'. This was a style of large country house popular in the mid to late 19th century which was later adapted for suburban use in a smaller form. It was associated with architects as well known and respected as Edwin Lutyens. This attractive house should therefore be protected for its own sake as well as for its more general contribution to the street and to the proposed Park Lane Conservation Area.

Proposed Conservation Area

On 11 December, 2017, the Council approved the Cheltenham Local Plan for consultation purposes. Following consultation, the Plan will proceed to Examination and eventually adoption. This Plan contains a significant proposal for Park Lane. It is to become a Conservation Area. This proposal is a confirmation of the uniqueness of Park lane both in historic and architectural terms. There is nothing similar in the rest of Cheltenham.

While it is accepted that the Park Lane Conservation Area is currently a proposal, it will be wholeheartedly supported by local residents. It is therefore certain to happen once the appropriate procedures are completed. If this was in existence now there would be no question that this application to demolish and rebuild would be rejected out of hand for conservation reasons alone. It does not need to be spelt out that this new dwelling would neither "preserve or enhance, the two fundamental tests in dealing with development in conservation areas.

Great weight should be given by the Council to the proposed Conservation Area in considering this application. It would be farcical for the Council to allow this application and then to complete the designation process once the street scene had been irrevocably destroyed by this ridiculous construction. We say this because such is the scale of Park Lane (only16 dwellings), it is obvious that this one single proposal would have a catastrophic impact on its history and architectural integrity.

Even without the Conservation Area , the Council has a duty to protect historic environments. Now that an analysis of Park Lane has been carried out in the Local Plan review, the Council has categorically concluded that this is indeed a historic environment worthy of conservation area designation. Any attempt therefore to support this application would represent a failure in carrying out the Council's responsibilities to implement established and clear national planning objectives.

Scale of Development

As stated, the proposal would increase the built volume on the site by more than 75% and the footprint by more than twice the existing. The height of the property is also intended to be raised by 1.5 metres. Nothing vaguely resembling this currently exists on Park Lane. The scale of the property is therefore unacceptable, given the important contribution the site makes to the locality.

It would dwarf all of its immediate neighbours by at least 50% more than the next largest property and yet on one of the smallest plots. The overbearing and over-dominant effect would be catastrophic for those properties immediately adjacent.

The other issue caused by the massive overdevelopment of the site is the amount of garden area that would remain. It would be restricted to two tiny areas, on the northern and southern ends of the plot, everything else would either be house, hard-standings, terraces or paths. As stated above this is in conflict with Green Belt policy.

Loss of Trees

Since the last application, a mature birch tree situated on the frontage of St Francis has become subject to a Tree Preservation Order. This was strongly supported by local residents and the Council is to be congratulated for this. The new proposals will however place this tree under threat. The canopy of the tree will virtually touch the proposed property and the root system will be extensive. This will bring pressure to bear in the future for its removal or radical pruning. In this regard, the computer generated images submitted with the application are deliberately misleading. The scale of the house proposed in relation to the protected tree is therefore unacceptable.

Detailed Objections

The new proposal at first glance is a slight improvement on the previous application which was disgraceful and subsequently withdrawn. However, the size of the property now proposed is such that it will still dominate its immediate neighbours including Crossways. It will be much higher than the existing and its bulk is more than twice as big. The policy issue in relation to the scale proposed is discussed above but there are also direct impact and privacy issues as a result.

Also, we are concerned that although the proposal is currently for a two storey property, there would be ample scope for additional rooms to be located in the loftspace. Not only would this make the conflict with the CO7 policy even greater, it would further add to the dominance and overbearing nature of the house on its neighbours.

There are also specific impacts on the amenity of other surrounding properties but we will leave the owners of the properties concerned to outline their detailed objections.

We note from the new Design and Access Statement that ,and we quote:

" The new building will have no impact on the surrounding properties "

This is a quite ridiculous statement, the same one used in support of the previous application. However, as any planner would know all development has some impact on its local environment. The question is whether or not the need for a development outweighs the perceived impact in any planning balance. This statement is therefore pure sophistry and renders the whole of this Statement valueless. The fact that it has not been removed highlights the total disregard that the applicant has had for neighbouring properties in the design process. In fact the words of the new Design and Access Statement are merely a mirror image of the previous application and therefore show a singular lack of knowledge of the steps the evaluation and design process should follow in arriving at a sympathetic response to any site.

The feeble attempt at consultation before this application was submitted that we referred to at the beginning of this letter included a statement that the property had been designed :

' in accordance with advice provided by Cheltenham Borough Council Planning Department and supports the pattern of ongoing and sympathetic redevelopment of property in Prestbury'

Nothing could be further from the truth. There is absolutely nothing sympathetic about this monstrous proposal. Also, the applicant's own summary of pre-application discussions seems to indicate that what has been submitted does not accord with the Council's advice.

The design only represents the applicant's wishes, no more than that, and there has been no thought whatsoever given to either the architecture of the street and the existing building or the destructive effect on the homes surrounding the site.

Finally, we are aware that there are already numerous other objections to this proposal from Park Lane residents. We believe we can speak for all who have written, and who may still write, to state categorically that the Borough Council will have our total backing in rejecting another appalling proposal and can guarantee unequivocal support from all of us at any subsequent appeal, should this arise, including professional expertise if this would be helpful.

Green Willows
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 16th January 2018

The proposal of the new house is now two storey stone property with floorspace of over 300sq m almost twice the area of the existing house, and the volume of 75% more than the existing. This building is 1.5 metres higher than the present house and raises privacy issues to the neighbouring properties.

The existing house is of historical and architectural significance in our lane and must stay!! It has an important role in contributing to the character of the area.

Kennan
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 5th January 2018

Letter attached.

The Little Monk
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 7th January 2018

We write concerning the recent planning application for St. Francis, Park Lane, Prestbury.

As Park Lane is, according to the local plan, to become a conservation area, an application to demolish a Cotswold stone property which reflects part of the history of Prestbury village and its link with Cheltenham racecourse, seems very sad.

We are concerned that the footprint of the proposed building appears to be larger than the original and, according to the measurements seems to constitute up to 42% of the site and therefore would not fit comfortably on the plot and the visual attraction of the pair of houses at the end of Park Lane would be lost.

The proposal of a first floor terrace will not only take away the privacy in our garden but will also have full view into our living room, kitchen and master bedroom which we find totally unacceptable and object in the strongest terms. In fact, this aspect appears to have been discussed in the pre-application discussion (ref: 17/01656/PREAPP).

The idea of a soakaway seems inappropriate as it would concentrate a huge volume of water in a place that could not support it. Since the moat runs along the border with Little Monk, and the soakaway is to be positioned very close to it, there is real concern that this would seriously impact the water levels in the moat at surrounding properties since the winter rains already fill the moat annually.

The Firs
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 28th December 2017
Letter attached.

Spring Cottage
Spring Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BW

Comments: 10th January 2018
Letter attached.

Shaws
2 Shaw Green Lane
Cheltenham
Gloucestershire
GL52 3BP

Comments: 18th January 2018

I object to the demolition of this architecturally significant house which with its neighbour forms a pair of 17th century butterfly style houses which enhance the inherent visual attractiveness of this rural lane. Its design and composition is out of keeping within this ancient part of the village.

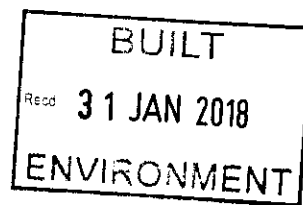
The proposed new building is over 70% larger by volume than the the existing house and will dominate not only nearby properties but the entire lane.

i am concerned for the well being of the preserved birch tree also the loss of any soak away availability in this local area which is known for its flooding issues.

I did not object to the application for extensions to the existing property but I DO object to its unnecessary demolition and the precedent this action may set.

Meadowside
Park Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3BN

Comments: 19th January 2018
Letter attached.



Harbury
Spring Lane
Prestbury
Cheltenham GL52 3BW

27th January 2018

Re: Planning Application for St Francis, Park Lane, Prestbury

Whilst I am not directly affected by the above proposal I feel it is ethically and morally wrong to consider demolishing this house to build another.

I love the area within the old part of Prestbury that's why I chose to live here (more than once) and part of its charm is the character of all the houses and their defined history.

St Francis was built around the same time as my house, although a completely different style and epitomises beautifully the era in which it was built. It is unique in that there is only one other, which has had alterations without changing its character, in that particular style in Prestbury - why demolish part of our heritage?

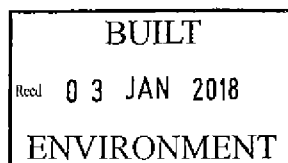
Could the owners, who quite clearly are not happy with the house, not have bought some land or a property suffering from subsidence/disrepair where they could have built exactly what they wanted without destroying a perfectly good house? Alternatively, stick with the original plan to extend without destroying the origins of something that is already elegant. There are many examples around Cheltenham e.g. Tommy Taylors Lane, Albemarle Gate where 1960/70's house have been updated or resurfaced without this inherent desire to destroy. My own new next door neighbour, in Park Lane, has just extended and refurbished inside without pulling the house down.


As stated at the beginning of this letter I am not directly affected by this proposal but I am a passionate conservationist and I cannot see any justifiable reason for demolishing this house.

Yours truly,



Director of Planning
Cheltenham Borough Council
Municipal Offices
The Promenade
Cheltenham
GL50 1PP




Kennan
Park Lane
Prestbury
Cheltenham
GL52 3BN

2nd January 2018

Dear Sir / Madam

Re Planning Reference 17/02447 St Francis Park Lane Prestbury { Objection }

We write regarding the planning application for the above property .

It does seem sad that a wonderful Cotswold stone property is to be demolished particularly as Park Lane is in the Local plan to become a conservation area .

At the present time St Francis has a balcony to the front of the property and is to be replaced which overlooks our front garden to the South . The proposal is for a large first floor terrace to the rear of the building this would mean our rear garden to the north of the property would be totally overlooked . We strongly object to this as we will have no privacy at all in our rear garden and indeed to the front . The rear is used as our main area to relax in with friends and family .

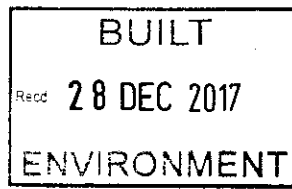
This proposal does not consider our privacy at all and is totally unacceptable to us .

The plan does also show windows facing our property which are to be used as a dressing room and on-suite bathroom . These windows should have obscured glass .

Another thing I would like to point out is the plan for a soakaway to take away rain water etc. from the roof of the building . This would be a complete disaster as the soil base is solid clay and would not soakaway but flood our and neibours garden.

Your Sincerely

A large black rectangular box redacting the signature of the sender.



The Firs
Park Lane
Prestbury
Cheltenham
GL52 3BN

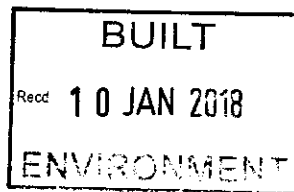
22.12.17

Dear Sir, I am writing to
put forward an objection
to the alteration to St.
Francis in Park Lane.

I feel the visual
impact will be marred
as it is one of a pair
and it will detract from
the unification of the
whole.

Yours faithfully





Spring Cottage,
Spring Lane,
Prestbury,
Cheltenham,
Glos., GL52 3BW
9.1.2018


Ref. 17/02447/FULL.

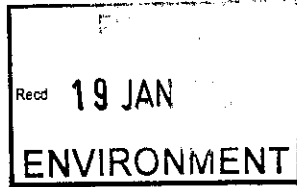
My attention has been drawn to the fact that the above application to demolish St Francis, Park Lane has again come to your office.

It makes no sense to me to destroy a perfectly sound house which has for many years part of the street scene.

The architects appear to intend to put a very much larger building in its place. Surely this is against a planning rule.

A new building of this size and appearance would be totally out of place.
I object on these grounds to this proposal.





Meadowside
Park Lane
Prestbury
Cheltenham
GL52 3BN

17 January 2018

Dear Sir,

St Francis, Park Lane, Prestbury 17/02447/FUL

We wish to object in the strongest terms to the Planning application concerning the above.

The present structure at St Francis constitutes part of an extremely rare enclave of cottage-style houses which is at the heart of the make-up of Park Lane. Their uniformity of design should be preserved, not destroyed. That surely is the rationale behind the prospective creation of a Conservation Area for the road: it is hardly logical for the demolition of St Francis to frustrate the very reason for that creation.

Moreover it is not merely the design which will destroy this uniformity: the size of the proposed structure compared with its plot curtilage is just as unacceptable and an utter intrusion into the modest proportions of this prime location.

Yours faithfully,

