

Charlton Manor
Ashley Road
Cheltenham
GL52 6NS

18 November 2018

18/02171/OUT Objection

To whom it may concern,

Please register our objection to the above proposal, and ensure the attached note from Asset Heritage Consulting is included (while written to support objections to 17/00710/OUT, all of the concerns expressed herein remain extant given the minimal changes in the outline proposal, particularly with respect to the boundary between the new build estate and Charlton Manor).

On heritage:

Our concerns remain as before:

- Historic England are a statutory consultee on Grade II* and Grade I listed buildings only; their focus is therefore rightly on the harm to Ashley Manor (Grade II*)
- However, the harm to Charlton Manor from this proposed scheme is even more direct and potentially significant than it is to the setting of Ashley Manor, on at least the following grounds:
 - o The house was designed and built in 1864 to overlook the view towards the Severn Valley. That setting is completely eroded by this proposal
 - o The house is spring fed, and the restored (and original) Victorian garden layout is sustainable using the spring water supply available to the house via a Victorian brick lined water storage tank underneath the property. This proposed build risks disrupting or eliminating the water supply to Charlton Manor
 - o The linkage between the spring (in the Leasowe field; the site of the proposed estate) and the property now known as Charlton Manor (originally Simla, then Leasowe), documented in the Times property listing of 1867 as

spring fed, is critical to the stability and flood management of the property; almost every building on the Battledown boundary of these fields has below ground flood management and have taken steps to reinforce against subsidence, given the clay movements in times of extreme dry or wet conditions.

- The house has enjoyed a linkage to the Victorian ice house in the field since 1864; this was subject to a formal lease of land to Charlton Manor from 1869 to at least 1947.
- The boundary to the proposed new build estate is now shown to be densely tree planted; this removes the afternoon and evening light not only from the property and its gardens, but also from the solar panels that were installed after extensive consultation with CBC heritage department, in order to make the property more energy efficient and sustainable in the 21st century.

In brief, this proposal denies the property its natural light, interferes with its water supply, harms its setting and destroys its historic linkage to the ice house in the centre of the adjacent field. That does not compute as acceptable harm to a heritage asset, and would be totally counter to the legal and policy framework protecting listed buildings.

It is of considerable concern that Cheltenham Borough Council conservation department have no current staff familiar with the property and its history, and have refused to visit the site to assess the harm for themselves.

It is of even greater concern that the planning officer responsible for this site has stated that a listed building has to be demolished for it to count as significant harm. This is not in line with Historic England's guidance, nor is it a viewpoint supported by legislation, the NPPF or by case law.

More generally:

A request to discuss the issues associated with 18/02171/OUT with the planning department has been refused on the grounds that the issues are well known. Can we therefore presume, as residents, that the objections associated with the original application

(17/00710/OUT) are being transferred to this application, given it is being treated as a linked application in so far as the developers' various documents and arguments are concerned? There is a great deal of detail missing, changed or inaccurately referenced in the 18/021710UT application, which assumes full knowledge of the original application. It is too time consuming and technical for a layperson to know the details and differences that need to be called out – and if CBC are treating them as linked applications, it would be reassuring to know that residents views are being transferred across the two.

Finally, we are advised that the flooding and subsidence risk that would arise from a negligent build on this site may well be uninsurable for local residents, given the issues are well known and documented. As per recent court of appeal decisions against New Forest District Council, that could result in CBC being held potentially liable for these insurance claims in perpetuity. Please could CBC get legal advice on this matter, and ensure that their advice is in the public domain and available to those making decisions on this site, in advance of the planning committee debate?

We have requested meetings with the Carmelite Trust, and with William Morrison and their representatives, to explain our position but they have refused; it is difficult therefore to take their claims of addressing local concerns around 17/00710/OUT seriously.

Yours sincerely,

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



specialist independent advisers in the historic built environment

conservation & listed buildings | heritage planning matters | expert witness | audits | research
listed buildings | conservation management and advice | archaeology | historic interiors

Tracey Crews
Director of Planning
Cheltenham Borough Council
Municipal Offices
Promenade, Cheltenham
Glos, GL50 9SA

AHC/ND/9686

20 June 2018

Dear Ms Crews,

RE: Outline application for residential development of 91 dwellings including access, layout and scale, with all other matters reserved for future consideration on land off Oakhurst Rise, Cheltenham (as revised April 2018). LPA REF. 17/00710/OUT

I am writing this letter to you as Director of Planning at Cheltenham Borough Council on behalf of [REDACTED] the owners and occupiers of Charlton Manor, Ashley Road, Cheltenham, as part of their objection to the above planning application currently in front of your Council. I should emphasize that this letters deals only with heritage matters, as this is the area of my expertise. My qualifications and experience are set out at **Annexe 1** to this letter and I have, of course, visited the site and surrounding area before writing it.

The starting point for my consideration of the application proposals are the two heritage reports prepared on behalf of the applicants, a Built Heritage Statement by CgMs Consulting (revised in April this year) and the Heritage Statement produced by Architectural History & Conservation in November 2017. I have also had regard to the Tabulated Historic Environmental Appraisal prepared by ECUS Ltd in December 2017 on behalf of the Council as part of its identification of the

site in the Local Plan as one suitable for housing, albeit for a much lower number, together with their 'clarification' letter to the Council dated 28 February 2018.

Although on first impression, these reports might appear to be thoroughly researched and carefully prepared documents, they are actually in many ways both flawed and inadequate, particularly with regard to the scant attention they pay to the clearly adverse impact the scheme they support would have on the setting of Charlton Manor as a Grade II listed building.

To begin with the Architectural History & Conservation report, as this purports in its Introduction (paragraph 1.2) *'...to establish the significance of the Grade II* St. Edward's School in heritage terms and the likely impact any schemes for developing the field to the north (the application site) would have on the heritage asset'*, it might initially be possible to forgive it for not even mentioning Charlton Manor in its text.

When however one notes that Charlton Manor is clearly visible in plate 16 of the report and reads the report's conclusion that *'There is no objection in principle to the development to the north and north-west of The Oaklands (the original name of the Grade II* listed building). The proposed development site was never part of the historic parkland of The Oaklands'*, tolerance for the omission of any consideration at all being given to the setting of Charlton Manor in this report begins to lessen.

It may well be that the scope of Architectural History & Conservation's instruction from the applicant was a narrow one (in paragraph 1.2 of their report, they freely acknowledge that their brief was to *'take into account the comments made on 30 October 2017 to Cheltenham Borough Council about the proposed development scheme by the Historic England inspector and will counter the objections raised therein and seek to justify the development'*), but simply to focus on this one issue without (apparently) giving any consideration at all to the setting of another important nearby listed building (i.e. Charlton Manor) does not appear to me to be either helpful or appropriate.

Indeed, in their anxiety to demonstrate that the application site was not originally parkland associated with The Oaklands and from there to conclude (paragraph

5.1 of their report) '*...that, subject to the shelterbelt (to the north of Oaklands) being restored, there would be very little, if any, harm caused to the setting of the Grade II* house. The development would be in accordance with National and Local Policy*', this significant omission could be extremely damaging to the chances of retaining what is significant about the setting of Charlton Manor if allowed to remain unchallenged.

Before turning to this issue however, I should emphasize that, notwithstanding the conclusions of Architectural History & Conservation's report and the CgMs letter dated 1 November to your Council rebutting Historic England's objections to the application, I very much share Historic England's concerns over the significant harm that would undoubtedly be caused to the setting of the Grade II* listed school building if the proposals were to go ahead.

Indeed, in my professional opinion (my qualifications and experience are set out at Annexe 1), Historic England have, despite the attempts made by the applicants' three separate firms of heritage consultants to discredit their comments, provided your Council with entirely coherent and sustainable reasons for rejecting the application proposals simply on the severely adverse impact they would have on the setting of the Grade II* listed school building alone.

To that clearly harmful impact, must be added the even more harmful effect the application proposals would have on the setting of Charlton Manor.

Unlike the Grade II* listed school building, which I accept when it was built as a private house was not oriented to face the application site, Charlton Manor was clearly sited where it is in order to take full advantage of the views over the adjoining fields and the area beyond.

Charlton Manor (originally known as Simla Lodge – presumably a reference to its airy, elevated position – and later Leasowe before taking its present name) was first built in 1864, possibly to the designs of Henry Dangerfield, Cheltenham Borough Engineer, who laid out the Battledown Estate. As noted in the Historic England list entry (Charlton Manor was first listed in 1983 at a time when many Victorian houses of this type were not deemed to meet the criteria for statutory listing), the house was the first to be built on the Estate.

The CgMs Built Heritage Statement (revised in April this year) does refer at various points to Charlton Manor but not in a way that suggests its authors have any real appreciation of either its significance and (perhaps even more disturbingly) of the highly adverse impact the application proposals would have on that significance. In this connection, I understand from my clients that, in common with the other heritage consultants employed by the applicants, no representative from CgMs sought access to their property as part of preparing their report.

It might well be that CgMs would argue that such access was not necessary given that the site's direct proximity and visibility to and from the listed building has enabled them to form an opinion on the likely impact of the proposals on its setting, but this would be to seriously miss the point.

As even the description of the building provided in the CgMs report (paragraphs 3.3.22-3.3.27) suggests, this is a case where the rear elevations of the house are at least as important in architectural and historic terms as the front one. This is reflected not only in the architectural detailing and treatment of the rear elevations, but also in the way in which they have been sited precisely where they are to gain maximum benefit of the open views looking south-west and west from the property.

The main ground- and first-floor rooms of the house are all at the back of the house, their large windows clearly designed to take advantages of the fine views from them over the house's garden, the adjoining fields (the application site) and the area beyond, which include the grounds of the school, the Cotswold escarpment and the Black Mountains beyond.

In addition to these rooms, there is a two-storey canted bay window projection (incorrectly referred to as oriel window in the CgMs report) in the angle between the main rear elevation and the house's rear wing. Internally, this is located near the principal staircase and its original purpose (one which it continues to serve today) was to cast additional light into the staircase area, and particularly on the first floor, to provide additional views out from the house.

Perhaps unsurprisingly, given that they have made no effort to visit the property themselves, none of these critical points has been identified by the authors of the CgMs report.

Their analysis of the significance of the site as part of the setting of the house, in terms of the contribution it makes when viewed from the field is similarly partial, if not severely flawed. At paragraph 3.3.26, for instance, it is noted that *'The Site also forms part of the wider setting, and contributes to the significance of the asset through providing a degree of seclusion, but also open views which give the property a feeling of rurality* (before in the very next sentence saying that) *This is however secondary to other values in contributing to the significance of the Manor'*.

In light of the inadequate attention paid to what is significant about the setting of Charlton Manor in heritage terms, the section of the CgMs report entitled 'Assessment of Impact', also fails to pass muster, the paragraph on Charlton Manor (paragraph 4.2.7) being quoted here in full, with my observations underlined in brackets alongside: *'Charlton Manor currently experiences open views out from the rear over the open land and this will be largely (almost completely) removed with the proposed development. Additional tree planting will be provided between the Manor and the development, filtering views towards the built form even in winter months, in order to mitigate harm. (Here the authors of the report would do well to be aware of the advice in Historic England's latest guidance on 'setting': 'The Setting of Heritage Assets- Historic Environment Good Practice Advice in Planning Note 3, (2nd. edn. Dec. 2017) paragraph 40 that: 'As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design'.*

The proposed built form within the north east reaches of the Site, closest to the listed building, is also lower in density than the remainder of the development, with large gardens intended to provide a buffer against the listed building (this appears to me to be further acknowledgement of the severe harm caused to the setting of Charlton Manor).

The asset was originally constructed as part of the Battledown Estate development, and whilst its name suggests that it originally had large grounds, the plot of the asset has always remained consistent, with the Site never having any functional connection to the asset. (The name Charlton Manor is a relatively recent one and the house was never a 'manor' in the true sense of the word. What is more, as the historic and more recent OS maps in CgMs' own report show, the boundary between the house and the field to the east (the application site) remains exactly as it did at the time of the house's construction in 1864).

It is therefore considered that the proximity of the proposed development to Charlton Manor will result in some harm to the setting of the heritage asset due to the loss of views. The principal significance of the Manor is its architecture and historic associations with the Battledown Estate. The views to the rear, whilst providing a degree of context and setting, are not identified as a key contributor to the significance of the Manor and consequently the impact of the proposed development will be moderate and result in less than substantial harm. (I trust that what I have written earlier in this letter will prove sufficient to dispel this ill-conceived and unjustifiable opinion).

This should be weighed against the public benefits of the proposals set out in the planning statement, in line with paragraph 134 of the NPPF' (It is notable that neither CgMs, nor the applicants' other heritage consultants, pray in aid any heritage benefit that might flow from the application proposals. Certainly, I can see none, while for my part it is clear that the degree of harm caused is sufficient for this to outweigh any other public benefits that might be considered to accrue from the development proposals).

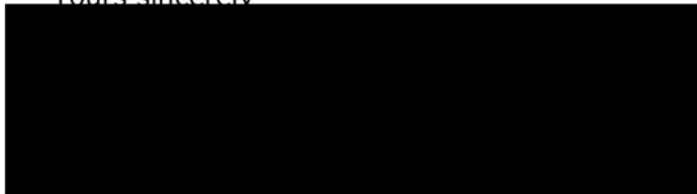
In this critique of the various heritage reports (the Tabulated Historic Environmental Appraisal prepared by ECUS provides nothing of substance as regards the application site) submitted on behalf of the appellants it is important to emphasize that I have only picked out the elements with which I most strongly disagree, but it certainly should not be inferred from this that I agree with the other points they make that I have not considered here.

These issues include consideration of inter-visibility and the heritage significance of views between the application site and the St. Mary's Conservation Area, together with the proposed treatment of the ice house and the ancient north-south field boundary on the application site itself.

Given the significance of the heritage issues raised in this letter, coupled with the fact that as I understand from my clients (apart from the strong objections raised by Historic England to the proposals), this is the first time there has been any independent professional analysis of the 'heritage views' provided to the Council on behalf of the applicants, I would very much welcome a meeting with you and the case officer to discuss the way forward.

I look forward to hearing from you.

Yours sincerely



Dr Nicholas Doggett, FSA, MCIfA, IHBC
Managing Director

Email: nicholas.doggett@assetheritage.co.uk

Cc. Historic England

Enc: Annexe 1: Qualifications & Experience

www.assetheritage.co.uk

Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563

Asset Heritage Consulting Ltd: Registration No: 07502061

ANNEXE 1

QUALIFICATIONS AND EXPERIENCE

NICHOLAS DAVID BARTHOLOMEW DOGGETT, BA, Ph.D., Cert. Archaeol., FSA, MCIfA, IHBC, Managing Director and Head of Asset Heritage Consulting:

After reading archaeology and history at the University of Southampton and completing a postgraduate qualification at the University of Oxford I worked for several years as an archaeologist, both in the United Kingdom and abroad. From 1984 to 1988 I was employed on the English Heritage Resurvey of listed buildings in Shropshire, Oxfordshire and Cornwall. From 1988 to 1989 I was a member of the Conservation Team at Bedfordshire County Council before joining South Oxfordshire District Council, where I was head of Conservation from 1991 to 2002, before leaving for CgMs in October 2002, of which I was a Director from 2004.

I left CgMs in November 2010 to establish Asset Heritage Consulting, a specialist heritage consultancy based in Oxford but working across the country.

My doctoral research on 16th-century English architecture was completed in 1997 and has subsequently been published. I am a member of the Institute of Field Archaeologists and the Institute of Historic Building Conservation.

I am the author of two books and several articles and papers on archaeology, building conservation and architectural history, including contributions to the *Oxford Dictionary of National Biography*, and have given lectures and taught on summer schools on these subjects for Oxford University Department of Continuing Education and many other organizations. I was formerly committee secretary of the Buildings Special Interest Group of the Chartered Institute for Archaeologists and am currently a committee member of the Oxfordshire Architectural & Historical Society. I was elected a Fellow of the Society of Antiquaries of London in October 2016.

www.assetheritage.co.uk

Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563

In the private sector my clients have included Bournville Village Trust, Oxford colleges, several local planning authorities, the Metropolitan Police, the Home Office and major house builders. I have also acted as a consultant for English Heritage and Cadw on applications for listing, re-grading, de-listing and Certificates of Immunity. I have given evidence relating to the historic built environment at numerous public inquiries and hearings and in court, both for appellants, third parties and local planning authorities.

I am, of course, familiar with the application site and its surroundings.



specialist independent advisers in the historic built environment

conservation & listed buildings | heritage planning matters | expert witness | audits | research
listed buildings | conservation management and advice | archaeology | historic interiors

Tracey Crews
Director of Planning
Cheltenham Borough Council
Municipal Offices
Promenade, Cheltenham
Glos, GL50 9SA

AHC/ND/9686

7 January 2019

Dear Ms Crews,

RE: Outline application for residential development of up to 69 dwellings including access, layout and scale, with all other matters reserved for future consideration (revised scheme following refusal of application ref. 17/00710/OUT) on Land Adjacent to Oakhurst Rise, Cheltenham, Gloucestershire

I am writing this letter to you as Director of Planning at Cheltenham Borough Council on behalf of Phil and Sally Walker, the owners and occupiers of Charlton Manor, Ashley Road, Cheltenham, as part of their objection to the above planning application currently in front of your Council. I should emphasize that this letter deals only with heritage matters, as this is the area of my expertise. My qualifications and experience are set out at **Annexe 1** to this letter.

As you will be aware from my letter to you of 20 June 2018 concerning refused application 17/00710/OUT, the contents of which remain relevant to your consideration of this new application, I have of course visited Charlton Manor and the surrounding area, which is naturally an essential requirement for anyone assessing the impact of the development proposals on the setting of this important Grade II listed building.

This may seem obvious but I say it here because I note that, despite Mr & Mrs Walker's repeated invitation to your officers to visit Charlton Manor (see their letter to you of 18 November 2018, with which this letter needs to be read in conjunction), your officers have continued to decline this invitation. This in my view is most regrettable, as it is only by visiting the property in connection with the proposed development scheme adjoining it that your officers will be able fully to appreciate the strong heritage concerns the scheme raises.

Indeed, as the NPPF makes abundantly clear, substantial harm can be caused to the significance of a designated heritage asset as much by the loss of what is important about its setting as by its demolition and, as Mr & Mrs Walker have already pointed out to you, it is therefore disturbing to find that the case officer dealing with this application appears to believe substantial harm could only be caused by the demolition of the heritage asset itself.

Turning now to the new application proposals, the reduction in housing unit numbers from 91 to 'up to 69' has not resulted in reducing the level of harm caused to the setting of Charlton Manor. This is because, despite the claims made in the revised Heritage Statement produced by Architectural History & Conservation (AH&C) in October 2018 and their brief 'Responses to Comments of Statutory Consultees' document, the harm to the setting of Charlton Manor remains significant and undiminished.

Whatever AH&C (who have never sought to view the application site from either the grounds or the interior of Charlton Manor) may say, the visual and historic relationship between the house and the application site is both real and significant.

The original elevations of the house, which were clearly designed to benefit from the extensive rural views over the application site and the countryside beyond are not 'marred by the number of twentieth-century extensions which spoil the architectural composition of the building' (paragraph 3.26 of AH&C's Heritage Statement), while tinkering with the precise layout of the housing plots directly adjoining the house does nothing to remedy the severe harm that would be caused by the development proposals to what is significant about the setting of the house, as fully set out in my letter to you of 20 June 2018.

www.assetheritage.co.uk

Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563

Likewise, as with CgMs Consulting before them, AH&C fall into the trap of considering that creating a dense belt of trees and other vegetation along the eastern boundary of the plots lying immediately to the west of Charlton Manor (this is even denser than it was in the refused application) would help to mitigate the harm even they acknowledge would be caused to the setting of the Grade II listed building as a direct result of the development proposals.

Should your officers also be minded to think that screening along this boundary would limit the degree of harm caused to the setting of Charlton Manor, I would therefore like to remind them of the sensible and helpful advice contained at paragraph 40 of Historic England's 'The Setting of Heritage Assets- Historic Environment Good Practice Advice in Planning Note 3, (2nd. edn. Dec. 2017)' that: 'As screening can only mitigate negative impacts, rather than removing impacts or providing enhancement, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate, so where it is necessary, it too merits careful design' (only the emphasis is mine).

I hope you and your officers find these observations helpful in your determination of this application.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'N. Doggett', is written over a faint, circular official stamp. The signature is fluid and cursive.

Dr Nicholas Doggett, FSA, MCIfA, IHBC
Managing Director

Email: nicholas.doggett@assetheritage.co.uk

Enc: Annexe 1: Qualifications & Experience

www.assetheritage.co.uk

Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563

ANNEXE 1

QUALIFICATIONS AND EXPERIENCE

NICHOLAS DAVID BARTHOLOMEW DOGGETT, BA, Ph.D., Cert. Archaeol., FSA, MCIfA, IHBC, Managing Director and Head of Asset Heritage Consulting:

After reading archaeology and history at the University of Southampton and completing a postgraduate qualification at the University of Oxford I worked for several years as an archaeologist, both in the United Kingdom and abroad. From 1984 to 1988 I was employed on the English Heritage Resurvey of listed buildings in Shropshire, Oxfordshire and Cornwall. From 1988 to 1989 I was a member of the Conservation Team at Bedfordshire County Council before joining South Oxfordshire District Council, where I was head of Conservation from 1991 to 2002, before leaving for CgMs in October 2002, of which I was a Director from 2004.

I left CgMs in November 2010 to establish Asset Heritage Consulting, a specialist heritage consultancy based in Oxford but working across the country.

My doctoral research on 16th-century English architecture was completed in 1997 and has subsequently been published. I am a member of the Institute of Field Archaeologists and the Institute of Historic Building Conservation.

I am the author of two books and several articles and papers on archaeology, building conservation and architectural history, including contributions to the *Oxford Dictionary of National Biography*, and have given lectures and taught on summer schools on these subjects for Oxford University Department of Continuing Education and many other organizations. I was formerly committee secretary of the Buildings Special Interest Group of the Chartered Institute for Archaeologists and am currently a committee member of the Oxfordshire

www.assetheritage.co.uk

Wolfson College, Linton Road, Oxford, OX2 6UD T: 01865 310563

Architectural & Historical Society. I was elected a Fellow of the Society of Antiquaries of London in October 2016.

In the private sector my clients have included Bournville Village Trust, Oxford colleges, several local planning authorities, the Metropolitan Police, the Home Office and major house builders. I have also acted as a consultant for English Heritage and Cadw on applications for listing, re-grading, de-listing and Certificates of Immunity. I have given evidence relating to the historic built environment at numerous public inquiries and hearings and in court, both for appellants, third parties and local planning authorities.

I am, of course, familiar with the application site and its surroundings.

Charlton Manor
Ashley Road
Cheltenham
GL52 6NS

19 January 2019

For attention of Ms Crews and the Cheltenham Local Planning Authority,

REF: 18/02171/OUT

I am writing to correct (once again) the considerable errors contained in a letter from Dr Carole Fry, dated November 2018 but only recently posted for public consideration, in related to the above application.

Dr Fry cites no sources in her assessment of the harm to the listed properties that will be caused by the proposed development of this site, at some 300% over the limits set by the nearly finalised local plan. She frequently provides an opinion. In this application and in the previous one recently rejected by CBC, she is demonstrably wrong in her assertions.

I have provided photographic evidence of the sources that demonstrate these errors; further documentation can be found in the local history by David O'Connor (Battledown: the story of a Victorian Estate). The book talks to the presence of springs across the Battledown Hill and the issues they have caused with flooding across this site from 1873 forwards. For example a local resident "had to restore an ancient watercourse running from Battledown... the stopping of which has caused great flooding and damage".

Dr Fry contends that the applicants "will protect the spring (s?) in any development of the site". The current layout makes no attempt to do so, nor has any approach been made to us as current residents to reconcile our concerns with the plan. The springs rise on Ashley Road and across the top of the St Edwards Field. Any change affecting the hill results in the St Edwards school sports pitches being waterlogged and unplayable, and causes shifts in the water table due to the nature of the water courses underneath the clay. This was documented when new gas mains were put into Ashley Road on 2018 in photographic and video evidence of the sub surface water courses across the hill. Hence the documented subsidence concerns that have been extensively covered in other resident objections.

Dr Fry claims there has never been a historic intention to link Charlton Manor with the field in St Edwards school. I attach the following to demonstrate how flawed that analysis is:

1. The original sale notice for the land, which advertises its 'magnificent views' (of the Severn Valley; that is the setting of the house, namely out onto the land now proposed for development)
2. A map from 1880, naming the field next to the now Charlton Manor (containing the Ice House) as 'The Leasowe'.
3. The deed of Enfranchisement for 'The Leasowe' in 1880; owner Mr George Edwin Hewett.

4. The name change from The Leasowe to Charlton Manor, captured in the will of a previous owner (1935)
5. The 1912 map of the garden, which clearly identifies the access points between the plot known as the Leasowe and the Leasowe land owned by Sir F Dixon Hartland; those westerly access points still exist today and enabled the horses in the Victorian stable block to the top of the site to be exercised (the stables are still erroneously labelled as “modern outbuildings” in the application).
6. The formal lease between Sir Frederick Dixon-Hartland and George Edwin Hewlett for land between Leasowe (now Charlton Manor) and Oaklands (now Ashley Manor), from 1887. This lease is remained in place (as per the extensive documented history of Charlton Manor) until at least 1942.

Not only is the harm to Charlton manor more significant than the applicant is willing to acknowledge, the expert ‘opinion’ they are calling on to justify their position is erroneous, and therefore must be discounted. There is further extensive documented history of Charlton Manor available from 1860 to 2018, should any be required by CBC in support of this decision. It is regrettable that we have still had no engagement from the developers, their agents, their ‘expert consultants’; or from Cheltenham Borough Council heritage department. Historic England have confirmed that their statutory consultation only provides commentary on Grade I and Grade II* listed buildings, and therefore only CBC can accurately decide on the harm caused to this property. I cannot understand how it might be possible to do that without a site visit and proper understanding of the setting of this listed building.

Yours faithfully,

Phil Walker

Their Mart in Clarence Street Cheltenham

Thursday the 25th day of March 1897, at four
o'clock in the afternoon, subject to the following Conditions of Sale:—

PARTICULARS.

VALUABLE

BUILDING LAND

ON THE SUMMIT OF

BATTLEDOWN HILL,

Bounded on the North by the Birchley Road, on the South by "The Leasowe" and Ashley Manor Estate, on the East by the Ashley Road, and on the West by land of E. T. Brydges, Esq.

The situation is all that can be desired; magnificent views are obtainable, and the neighbourhood is justly renowned for its salubrity and beauty.

There are important frontages to the Birchley and Ashley Roads of 850 feet, or thereabouts, and an average depth of 240 feet, or thereabouts, and the total area is

4 acres 0 roods 1 perch *or thereabouts.*
inclusive of one half the width of the Roads adjacent to the Lands.

The land forms part of the plateau-summit of the hill on its Southerly side, is fairly level, and is consequently adapted for the erection of Residences of a good class.

Plate 1: the original sale notice for The Leasowe, focusing on the setting of the property as its main feature.



Plate 3: 1880 map of the Oaklands, the pasture land (called the Leasowe), and the Icehouse

Dated 13th April 1880

James Taggart Esq^{re} &c

to

Mr George Edwin Hewett

Deed
of Franchise
of The Leasow Charlton Kings

1 9 3 5

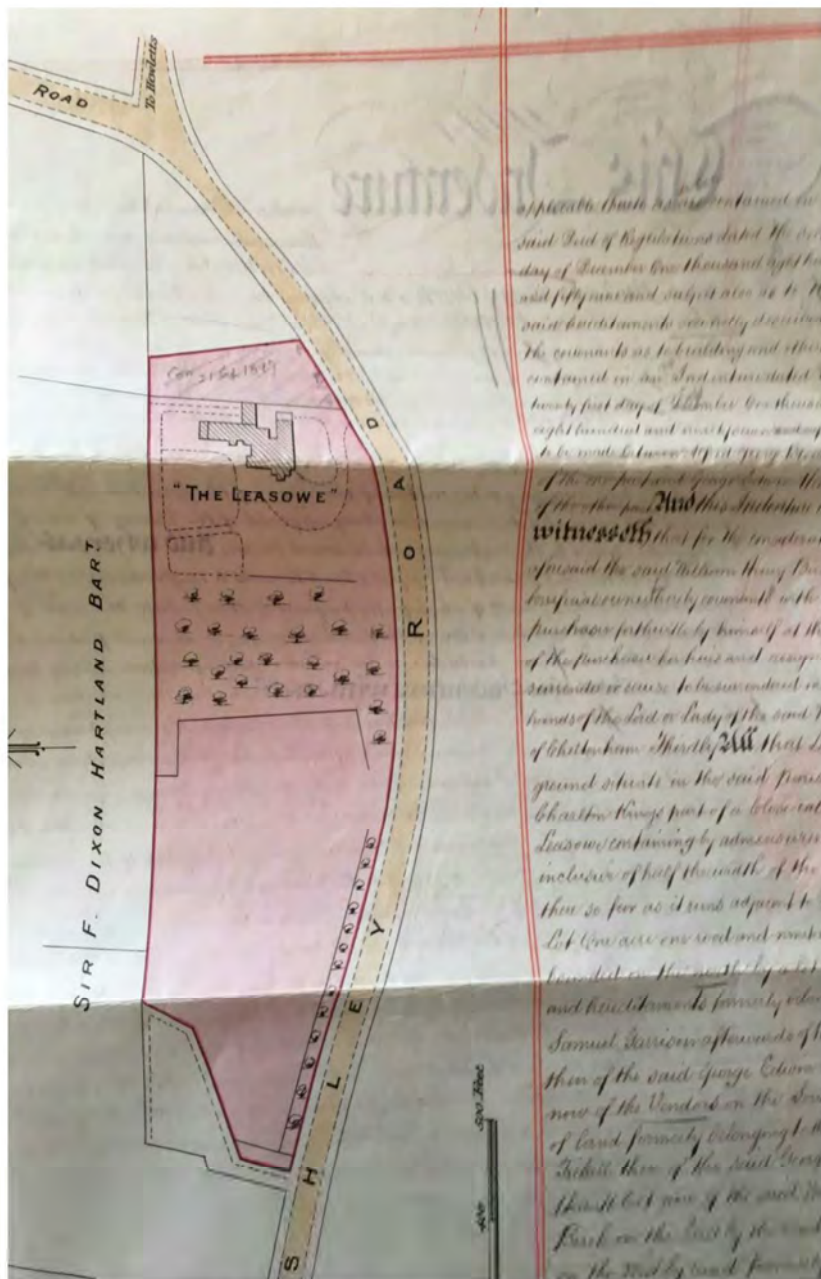
A B S T R A C T O F T H E T I T L E

- of -

the Executors of the Will of CAPTAIN
ARTHUR COLTHURST HERBERT DECEASED to
freehold premises known as Charlton
Manor formerly known as The Leasowe
situate in the Parish of Charlton Kings
in the County of Gloucester contracted
to be sold to MAJOR ORMOND CECIL LE
MARCHANT & OTHERS

Recd 11 Oct 1935

Plate 4: change of name from the Leasowe to Charlton Manor, circa 1935



the boundary between the Leasowe and the Leasowe land owned by Sir Dixon Harland (dated 1912) showing the access west from the stables to the land; [this is close to the current layout of the gardens, which were restored between 2008 and 2012, in consultation with Cheltenham Borough Council heritage department under numerous Listed Building Consents.]

~~Edwin~~ ~~Frederick~~ made the thirtieth day of July One thousand
eight-hundred and eighty seven Between Frederick
Dixon Dixon-Hartland of Chesham Place, London, Esquire,
M.P. hereinafter called the Lessor of the one part and George
Edwin Hewett of "The Leasowe", Battledown, Cheltenham,
Esquire, hereinafter called the Lessee of the other part Whereas
the said Lessee is the Owner of the aforesaid property known as
"The Leasowe" being Lots 63, 64, and 65 on the lithograph plan of
the Battledown Estate and the said Lessor is the Owner of an
adjoining property known as "The Oaklands" and the first
named property is on its Southern and Western sides sep-
arated from the Oaklands by a thorn or quickset

The lease of land between the Battledown estate lots making
up the Leasowe, and the adjoining property the Oaklands
(documented from 1887 through to circa 1947; thereafter
unclear).

In the Parish of Charlton Kings, late in the occupation of Commander Thomas Tickell, R.N., approached by a private carriage drive, and entered through ornamental porch laid with encaustic tiles and fitted with coloured glass, comprising—Entrance and Inner Halls. Drawing Room with Bow 18ft 5in by 14ft 8in, Dining Room 19ft 10in by 14ft 6in, Breakfast Room 15ft by 14ft, five Bed Chambers and Dressing Room, Linen Closet and Water Closet, and also very conveniently and well arranged Servants' Office on the Ground Floor, consisting of Kitchen with enclosed Range, Housekeeper's Room, Butler's Pantry, Scullery, W.C., &c. and a good Cellarage in the Basement.

Extensive Lawn and Pleasure Grounds tastefully laid out together with Kitchen Garden stocked with choice Fruit Trees.

The Stabling and Coach House are situated in close proximity to the House, in a detached brick building, and consist of a Coach House, one stall Stable and Loose Box, Loft Horse Room, and Bed Room over, walled in, and the Yard is laid with Broseley Bricks.

The Area of the Property including half the road is about 10 acres.

There is a plentiful supply of Pure Spring Water.

The Scenery around is most diversified and picturesque commanding Extensive Views over the Valley of the Cotswold Chosen, and Malvern Hills.

Lot 2. —A Capital FREEHOLD DWELLING HOUSE or known as

BRIDGE SQUARE, PITT

The Times, Monday 5th May 1878. For Sale notice for the spring fed house now known as Charlton Manor and further noting the importance of the setting of the property with views over the valley and out to the Malvern Hills.



29 Oakhurst Rise

Cheltenham

GL52 6JU

17th November 2018

Re: Outline planning proposal 17/00710

Dear Ms Payne

new 021711007

I continue to object to the above proposal in the strongest possible terms.

In the Planning Committee meeting this summer there was very decisive agreement that sole access to the site via the steep, bending and narrow cul-de-sac of Oakhurst Rise was entirely inappropriate bordering on ridiculous. The Charlton King's Parish Council have been in unanimous agreement on this matter for years. The site would be accessed by a convoluted one way system of very narrow and congested streets with steep gradients and obscured junctions. It is currently a safety issue for fire engines and ambulances as I am sure the emergency services would confirm.

Access to the top of Oakhurst Rise is impossible in winter conditions and the roads are never gritted. The pavements alone are treacherously dangerous. The new community would be entirely cut off.

The claim that it is an easy walk or cycle to the shops is disingenuous when you consider the extremely steep gradients involved and that the bus stop is a very steep walk downhill and has at best a 2 hourly service that takes about an hour to travel the distance into town.

The amenity that Rise residents bought into and enjoy, living in a very quiet cul-de-sac, will be utterly destroyed.

Heritage, veteran trees and endangered wildlife are hugely important to this site and of huge importance to local people. The site is an essential part of the character of Charlton Kings and a vital component of the view of Cheltenham from the AONB areas.

The risk of flooding downstream in this flashy catchment, the presence of seasonal springs on clay and the incidences of subsidence due to the clay are well documented but ignored by the developers. The risk of run off flooding from the building site and impact of groundworks on existing properties' stability is of enormous concern.

The fact that all the local schools and GP surgeries are massively oversubscribed is another issue.

I note that the Council consider that the site is only suitable for a maximum of 25 houses in the brand new Local Plan. I also note that committee members were weary of developers gaining "outline" permission and then building something **totally different**. This will be inevitable as the authorities have **no control over the percentage of affordable housing actually built** as confirmed in the Planning Committee meeting and on public record.

I hope that sense continues to prevail regarding this sensitive, beautiful, medieval, greenfield site which is utterly unique in Cheltenham.

Yours sincerely





[REDACTED]
29 Oakhurst Rise

Cheltenham

GL52 6JU

17th November 2018

Re: Outline planning proposal 17/00710

Now 02171/OUT

Dear Ms Payne

I continue to object to the above proposal.

[REDACTED] would welcome the development IF it would provide genuinely affordable accommodation for sale or rent for young people. My peers and I have serious worries about our ability to live independently in our future. East Cheltenham is an impossible place for people under 30 to find housing.

The problem is that this development will do absolutely nothing to meet the needs of my generation. The site is an absolutely prime location in Cheltenham in terms of its beauty and views and will be some of the most expensive land in the town. My family have built an extension in this location and know that the site will also be very expensive to develop due to clay, slopes, huge trees and the need for pile foundations. The site neighbours Battledown with its luxury housing and all that will be built to achieve a profit is yet more expensive housing that will be far beyond the reach of younger people.

Charlton Kings does not need more luxury housing. Young people need somewhere to live.

The use of an Outline proposal is just a cynical and well-travelled ruse to get development approved in principle by promising "affordable" housing. The Planning Committee in the summer agreed that nothing can be done to make the developer actually build affordably. What will inevitably be built is yet more luxury mansions or executive flats.

What my area needs is genuinely affordable housing and housing at affordable rents. Couples and families on average incomes have long been priced out of the area and this proposal is doing nothing to ease the housing crisis.

Yours sincerely

[REDACTED]

Yours ref.

18/02/17/OUT

WADLOYS FARM,

HAM LANE,

CHARLTON KINGS,

CHELtenham,

GL52 6NJ.

21-11-18

PLANNING

Rec'd 22 NOV 2018

SERVICES

Dear Miss Payne,

I write concerning the latest attempt by developers to build on land at St. Edwards School. The previous application was refused, and my objections in that case are still the same - namely, that the site is a greenfield site and should not be built on, and the access road is totally unsuitable for any traffic at the end of the cul-de-sac, let alone the potential 140+ cars which could be generated by 69 houses.

This application should be rejected, which would hopefully deter further attempts in the future.

Yours faithfully,

[Redacted Signature]