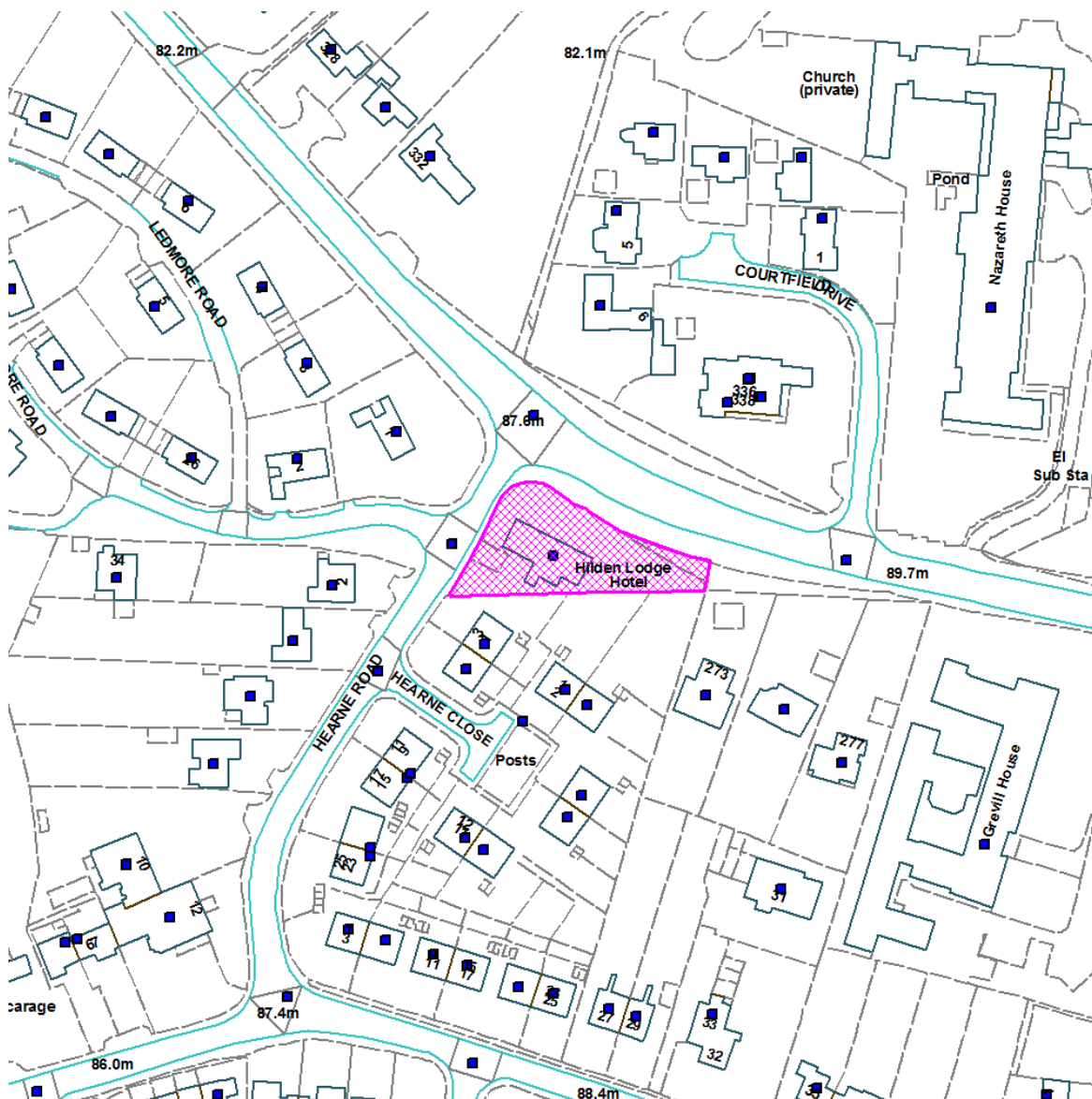


<b>APPLICATION NO:</b> 18/01320/FUL	<b>OFFICER:</b> Mr Joe Seymour
<b>DATE REGISTERED:</b> 4th July 2018	<b>DATE OF EXPIRY:</b> 29th August 2018
<b>DATE VALIDATED:</b> 4th July 2018	<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Charlton Kings	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Green Spinnaker Ltd
<b>AGENT:</b>	Focus On Design
<b>LOCATION:</b>	Hilden Lodge Hotel, 271 London Road, Charlton Kings
<b>PROPOSAL:</b>	Demolition of existing building and erection of 5 new dwellings, forming of access for parking and landscaping.

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Hilden Lodge Hotel is a two-storey building containing 12 en suite hotel rooms. The site is located on London Road (A40) in the Parish of Charlton Kings, Cheltenham.
- 1.2 The proposal seeks planning permission to demolish the hotel building and construct a terrace of five new dwellings.
- 1.3 The application has been referred to the planning committee due to an outstanding objection from Charlton Kings Parish Council and Cllr Paul McCloskey has maintained a preference for the retention of the existing building.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Smoke Control Order

### **Relevant Planning History:**

**82/00546/PF 23rd September 1982 PERMIT**  
Change of use from private dwelling to guest house

**87/00522/PF 25th June 1987 PERMIT**

Extension to Provide 5 Additional Bedrooms and Enlarge Dining Room and Car Park

**12/01267/ADV 11th October 2012 GRANT**

Installation of 1no illuminated freestanding sign, 1no sign affixed to east facing boundary fence, and 1no inserted in existing boundary wall

**14/00730/FUL 3rd June 2014 PERMIT**

Proposed new vehicular access onto London Road

## 3. POLICIES AND GUIDANCE

### National Planning Policy Framework

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 5 Delivering a sufficient supply of homes  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places

### Saved Local Plan Policies

CP 4 Safe and sustainable living  
CP 7 Design  
GE 5 Protection and replacement of trees  
GE 6 Trees and development

### Adopted Joint Core Strategy Policies

SD4 Design Requirements  
SD10 Residential Development  
SD14 Health and Environmental Quality  
INF1 Transport Network

### Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

## **4. CONSULTATIONS**

### **Parish Council**

*25th July 2018*

Further to the CKPC Planning Committee meeting of 23/07/18, we object to the above application with the following comments:

The existing building is a landmark structure in keeping with the surrounding vernacular. The proposed development is not in keeping with the surrounding structures and its design, while not objectionable in itself, is not suitable on a prominent gateway site on one of the major routes into Cheltenham. (One comment made was that it is more suited to the Cotswold Water Park than to Cheltenham).

The proposal brings the building line almost to the back of the footpath. The existing property, and the surrounding properties, are set well back from the highway, so the proposal is again not in keeping with its surroundings.

The tandem car port arrangements will necessitate multiple manoeuvres reversing either onto or off the London Road. Given the volumes of traffic on the London Road, this represents a significant increase in risk of collision compared to the current access / egress arrangements for the site. In particular, it creates an increased likelihood of injury to pedestrians and cyclists.

Overall, we see the proposal as over-development of the site.

*27th September 2018*

The CKPC Planning Committee notes that the revised application does not address the Committee's previous objections on the grounds of the Building line being brought too far forward and of the inadequacy of the parking and access / egress arrangements.

However, as previously noted, the existing building is a landmark structure in keeping with the surrounding vernacular. The proposed development is not in keeping with the surrounding structures and its design, while not objectionable in itself, is not suitable on a prominent gateway site on one of the major routes into Cheltenham.

Therefore the Committee objects to this Application on the basis of inappropriate design.

### **Architects Panel**

*13th August 2018*

Design Concept

The panel felt the scheme submitted is over development on a relatively modest site. The site layout is inappropriate and does not respond well to the site conditions, with poorly designed parking provisions and site access that is unlikely to meet Highway design requirements. The amenity space for such large town houses is not considered sufficient, and the overall design concept and style of architecture is considered out of keeping with London Road development.

Recommendation Not supported.

*19th October 2018*

Design Concept

The panel had reviewed this application on 25th July 2018. Revised plans have now been submitted reducing the number of dwellings to 5 and changing the site layout to deal with

previous highway access design flaws. The new layout still appears cramped resulting in unsightly splayed corner details.

#### Design Detail

Minor elevational changes have not resulted in design improvements; the scheme appears more suited to harbourside architecture.

#### Recommendation

Not supported.

### **Heritage and Conservation**

*16th October 2018*

No comment.

### **Tree Officer**

*3rd August 2018*

It is disappointing that the yew which was highlighted in the Preapp comments has since been removed. There are discrepancies between the Tree report (AIA-HIL-18) and the Planning Layout (drawing number 0655-102) with regard to the trees to be removed and replacement planting. The Planning Layout indicates Trees 850 and 851 are to be removed where as in the Arboricultural impact assessment (drawing no: AIA-HIL-18) and Tree Protection Plan (drawing no:TPP-HIL-18) these two trees are shown to be retained. There is also a discrepancy between the Planning Layout and the Tree Landscape Plan (drawing no: LAN-HIL-18) where the Planning Layout indicates 4 trees to be planted and the Tree Landscape Plan indicates 6 trees to be planted. Please could these discrepancies between the Planning Layout and the drawings within the Tree Report be clarified.

The ultimate size of the proposed trees also needs to be considered to allow enough space for each tree to grow to maturity. If one of the units was removed and the layout reconfigured it would allow more space for each plot to allow planting within rear gardens as well as in the communal areas.

*19th September 2018*

The Tree Section has no further objections to this application.

### **Gloucestershire County Council Highways Officer**

*2nd October 2018*

I have reviewed the revised plans, the development now consists of 5 dwellings, I do not consider the proposed to be an intensification of use therefore I am happy and will support the application, however I will need a visibility splay from plot 5 parking bay (Centre) measured at 2.4m set back x-distance by 54m in both directions nearside carriageway edge (Kerb), to note the splay to the north would be to the achievable distance to the London/Hearne Road junction.

### **Joint Waste Team**

*6th July 2018*

As these properties will all be individual dwellings there will be a requirement on each homeowner to present their waste and recycling on the kerbside of the nearest adopted highway. Therefore the pavements have to be wide enough to accommodate these

receptacles and for them to be in situ for one out of every 10 days, not posing an obstruction to pedestrians including wheelchairs and pushchairs.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	20
Total comments received	9
Number of objections	9
Number of supporting	0
General comment	0

5.1 Letters notifying 20 neighbouring properties about the proposed development have been delivered on three separate occasions due to the fact the design of the dwellings has been amended along with other revisions.

5.2 8 out of the 9 objections were received during the first two versions of the scheme, with only one objection being received following the third consultation of the application. The main issues raised by the 9 objectors are as follows:

- Overdevelopment of the site
- Inappropriate design for the area
- Preference should be to retain the existing building
- Site boundary drawn incorrectly
- Parking and access issues
- Disruption that would be caused by demolition

## 6. OFFICER COMMENTS

### Determining Issues

- i. Principle of Development
- ii. Design
- iii. Impact on Neighbouring Residents
- iv. Parking and Highway Safety
- v. Other Considerations

### Principle of Development

6.1 The site is located within the Principal Urban Area (PUA) of Cheltenham where the principle of new residential development is supported by policies within the existing Local Plan and policy SD10 of the JCS. The site is within close proximity to a wide range of day-to-day services such as shops, schools and employment opportunities; there is also a bus stop nearby offering a regular bus service which would also provide would-be residents of the development with the opportunity to utilise public transport. The site is therefore also considered to be a sustainable location for residential development in the context of the NPPF.

6.2 In order to construct the five dwellings proposed the existing hotel would have to be demolished. The original building dates from the late 19th century and was extended beyond its south-east elevation in the late 1980s after it was converted from a private dwelling into a hotel. Contrary to what some members of the public have stated in their

objections, the building is not listed and neither does the Conservation Officer believe that the building could be deemed a 'non-designated heritage asset' because little historic fabric from the original building remains; they raise no objection to the demolition of the building.

- 6.3** It is acknowledged that some members of the public wish to see the retention of the existing building. However, with no statutory protection in place, there is no sound planning reason why it cannot be demolished. Planning permission is not required for the demolition of the building and it could be done simply with prior notification to the Council which would highly unlikely be refused.
- 6.4** Members of the public have also raised the fact that there are plans for the Ledmore Road estate to be a new Conservation Area and buildings that contribute to Conservation Areas should be retained. However, this new Conservation Area has not been designated at the time of writing so this cannot be taken into consideration. In any event, the hotel would be situated outside of the proposed Ledmore Road Conservation Area boundary.
- 6.5** Concerns have been raised with regard to overdevelopment of the site. The area of the site is approximately 1,000m<sup>2</sup> (0.1 hectare) and with five dwellings proposed this would equate to a housing density of 50 dwellings per hectare. It is appreciated that this is perhaps a higher density than some of the housing in the locality, but this is considered not to be an unreasonable density in an urban area. The proposal is therefore considered by Officers not to be overdevelopment in this case.
- 6.6** Although not necessarily a determining factor in this particular case in light of the above, but it is important to highlight that Cheltenham currently cannot demonstrate a five-year supply of housing land. Therefore, a proposal that is acceptable in planning terms to boost the supply of housing would be welcomed.
- 6.7** For these reasons the principle of the development is considered to be acceptable but this alone is not sufficient for a redevelopment of the site to be supported. There are other site-specific issues that still need to be considered, which is carried out in the following sections of this report.

## **Design**

- 6.8** The design has been revised on two occasions during the course of this application to address the concerns of the case officer and the Architects' Panel. The proposal was originally for six dwellings instead of five and the design has changed from what was described by the Panel as 'harbourside architecture' due to the glazed balconies and steep roof pitches to a more contemporary urban architecture.
- 6.9** The terrace of dwellings would be constructed with a combination of Cotswold stone, steel cladding and larch timber cladding. Concerns have been raised that this design approach does not integrate with the architecture in the surrounding area, however it is considered that this is too difficult to achieve because there is no single architectural style to be found within the locality. The buildings in the surrounding area were all built during different eras and therefore there is no architectural uniformity. In this context, the NPPF's guidance (paragraph 127) to not prevent or discourage appropriate innovation and change (including increased densities) with regard to well-designed places should be reiterated.
- 6.10** The proposed terrace occupies a similar footprint to the existing building but would be longer and be built over three storeys. Cotswold stone would be used for the principal structure of the ground and first floor, the timber cladding would comprise the second storey walling for the second floor and the steel cladding would be used for the construction of the oriel windows (upper floor bay windows) on the first floor.

- 6.11** Concerns of some local residents regarding the design of the building are noted, however the fact that this style of architecture is uncommon in Cheltenham should not be a reason to prevent development. It is noteworthy to mention that no objections were received from local residents in response to the consultation on the latest design that is now for determination; the objections on design grounds were to previous versions of the scheme.
- 6.12** The proposed design is considered to be bold and interesting, which should not be discouraged as it helps to create a sense of place and identity as advocated in JCS policy SD4 (design).

### **Impact on Neighbouring Residents**

- 6.13** The site is located on the intersection between London Road and Hearne Road. The neighbouring properties that would be most affected by the development are the semi-detached maisonette flats to the rear of the site on Hearne Road and Hearne Close. In particular, the pairs numbered 1 and 3 Hearne Road and 1 and 2 Hearne Close share a common boundary with the application site. 3 and 4 Hearne Close also shares their rear boundary with the application site, but a much smaller part of it that would not be developed.
- 6.14** The application site is roughly the shape of a right-angled triangle with its rear boundary that adjoins the aforementioned neighbouring properties forming the hypotenuse. 1 and 3 Hearne Road are the closest neighbours to the hotel building with its north side elevation facing towards the site; plots 4 and 5 would be built in line with 1 and 3 Hearne Road and they would be built with their rear elevations approximately 11 metres away from the north side elevation of 1 and 3 Hearne Road.
- 6.15** This side-to-rear distance could be an issue in some circumstances, however in this case the north side elevation of 1 and 3 Hearne Road does not have any primary windows, only an external staircase to allow access to the upper maisonette. Therefore, the neighbours to the rear would not experience any overlooking or light restriction. The proposed dwellings would have three storeys, but it is considered they would be positioned far enough away from the common boundary not to have an overbearing impact.
- 6.16** Plot 1 would be the closest of the proposed dwellings to numbers 1 and 2 Hearne Close. The latter's rear garden is, at its shortest point, approximately 21 metres in length and is longer as the angle of the common boundary widens. Plot 1 would not be built directly in line with 1 and 2 Hearne Close and the relationship would be similar as it is currently with the hotel building, with the exception that the new dwellings would be built over three storeys.
- 6.17** In this case, the additional storey would not have an impact on the rear elevation of 1 and 2 Hearne Close in terms of light restriction because the distance between the two would still be sufficient for light to rear the neighbour's ground floor rear windows. The rear garden would be overlooked by the rear windows of the proposed dwellings, but not any more than it is at the moment.
- 6.18** For these reasons, it is considered that the living conditions of residents in neighbouring properties would not be unduly affected by the proposed development. The proposal therefore deemed to comply with the relevant guidance contained within JCS policy SD14, Cheltenham's Infill Development SPD and the NPPF pertaining to residential amenity.

### **Parking and Highway Safety**

- 6.19** Gloucestershire County Council as the Local Highway Authority has not raised an objection to the proposal for five dwellings stating it does not represent a material intensification of the use of the site. Their request for a visibility splay for plot 5 related to a previous version of the proposal which involved two parking spaces being accessed via

Hearne Road. This is no longer part of the proposal as plot 5 now features an integral garage accessed from within the site.

- 6.20** Three of the dwellings would benefit from two parking spaces on the area of hardstanding in front of the building, whereas plots 4 and 5 would have one integral space each. The vehicle tracking layout drawing shows that each parking space could accommodate an estate car which can safely negotiate the hardstanding.
- 6.21** There are no longer any parking standards in Cheltenham which state that a certain number of dwellings should be accompanied by a certain number of parking spaces. This was too prescriptive and a barrier to development. In this case, the number of spaces per dwelling is considered to be adequate given the urban location of the development and proximity to services which would mean future occupants would not be totally reliant on car journeys to undertake day-to-day activities. Allocated parking is always a 'caveat emptor' (let the buyer be aware) situation for prospective residents in any event.
- 6.22** The site benefits from a double vehicular access where vehicles enter the site from London Road and can leave at the opposite end of the site at the intersection between Hearne Road and London Road. This means that vehicles, including refuse vehicles, do not need a turning area to turn around to leave in a forward gear.
- 6.23** Concerns have been raised with regard to highway safety and parking in nearby streets including Hearne Road and Ledmore Road. It is considered that a 12-bed hotel would generate more vehicle traffic/movements compared to five dwellings, particularly if the hotel is full in terms of all 12 rooms being occupied and the maximum number of staff being present. This view is supported by the Local Highway Authority in their consultation response.
- 6.24** NPPF paragraph 109 states development proposals should only be refused on highway grounds if the cumulative impacts are severe. For the reasons stated above, this is not the case for this proposal and it is considered to be acceptable on highway safety grounds.

### **Other Considerations**

#### *Impact on Trees*

- 6.25** The discrepancies in the arboricultural report highlighted by the Tree Officer have now been addressed and no objections are now raised to the proposal with regard to the impact on trees.
- 6.26** The development, if permitted, would have to be carried out in accordance with the arboricultural report which states the 'category A' (higher quality) trees, including the large mature beech tree immediately in front of the hotel, shall be retained and protected with various measures such as no-dig parking spaces.

#### *Noise and Disruption*

- 6.27** Concerns have been raised regarding the noise and disruption that would be caused during the demolition of the hotel and construction of the five dwellings. It is acknowledged that there would be some noise and disruption in the short term during demolition/construction and separate environmental health legislation is in place to ensure work does not occur during unsociable hours.
- 6.28** But in the long term, it is considered that five dwellings would not be any noisier or disruptive compared to a hotel.



## 7. CONCLUSION AND RECOMMENDATION

- 7.1 The proposed development involving the demolition of the existing building at the site and the construction of five dwellings has been found to be acceptable.
- 7.2 Consequently, the recommendation is to permit the application, subject to the following conditions.

## 8. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No external facing or roofing materials shall be applied unless in accordance with:

- a) a written specification of the materials; and/or
- b) physical sample(s) of the materials.

The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions to the building hereby permitted shall be constructed without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 5 The development hereby approved shall be carried out in accordance with the approved Tree Protection Plan (ref: AIA-HIL-18 A).

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).

- 6 The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. 0655-102 D, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

7 Throughout the construction and demolition period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.