

<b>APPLICATION NO: 19/01237/FUL</b>		<b>OFFICER: Miss Michelle Payne</b>
<b>DATE REGISTERED:</b> 25th June 2019		<b>DATE OF EXPIRY :</b> 20th August 2019
<b>WARD:</b> Charlton Kings		<b>PARISH:</b> CHARLK
<b>APPLICANT:</b>	Mr Putman	
<b>LOCATION:</b>	1 Hamilton Street Charlton Kings Cheltenham	
<b>PROPOSAL:</b>	Single storey, one bed dwelling (revised scheme ref: 19/00756/FUL)	

## REPRESENTATIONS

Number of contributors	<b>11</b>
Number of objections	<b>11</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

45 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HL

**Comments:** 5th July 2019

I object strongly to this proposal. It would seriously damage the quality of the conservation area onto which it abuts.

1. With its roof line at the proposed height it completely blocks the sight lines along the north side of Cudnall Street. It does this by building well forward of all adjacent properties and on land previously safeguarded by planning. It will produce a large unwanted constriction right at the heart of the conservation area.
2. It compromises rather than enhances the street's Grade 1 listed building, Elborough Cottage, by placing a new property within 10 metres of its front door.

1 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HS

**Comments:** 8th July 2019

As with the previous application this proposed structure would be out of character in a Conservation Area and would make a bad parking situation in the area even worse. The proposed building represents the worst example of speculative infilling and would be a visual eyesore in an area containing numerous buildings of significant historic interest !

6 Hamilton Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HN

**Comments:** 9th July 2019

The revised application in my view does not address any of the objections previously made. The proposed dwelling is in a conservation area overlooking a listed building and its design is totally out of keeping with other properties in the immediate vicinity. A total blot on the landscape as far as I am concerned!

**Comments:** 27th July 2019

These revised plans are even worse! It looks like an upmarket garage, totally out of character in this conservation area. Absolutely unacceptable. It is a very small space, totally inappropriate for a second dwelling apart from the impact on the surrounding area.

45 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HL

**Comments:** 2nd July 2019

Although this submission is less imposing than the previous one, I remain concerned at the effect on the conservation area in which we live.

While extending the existing semi to the rear could be done without serious deleterious effect, building any separate building on this unsuitable plot can only be to the detriment of Cudnall Street. As previously mentioned, any house built on this footprint, extending right to the boundary as it does, would effectively be in Cudnall Street, not Hamilton Street.

The original building line, so much part of the charm of Cudnall Street, is not respected, and the sight line remains severely affected from a safety point of view.

**Comments:** 30th July 2019

This revised application does not address the issues that concerned us previously. It remains a building that protrudes beyond the building line and still blocks the view up and down the conservation area at a central point in Cudnall Street. The house directly abuts and intrudes into Cudnall Street (even more so now that a gate gives direct access to that street). The 6'4" wall creates a tall and permanent barrier well inside the building line of Cudnall Street. A valuable mature tree has been removed. The proposal worsens already difficult parking congestion and traffic danger on that corner. The design is totally at odds with the surroundings, not least its close proximity to the historic Elborough Cottage. The building's design and building materials resemble a tin cabin and could hardly be more discordant.

10 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HT

**Comments:** 12th July 2019

I refer to the revised scheme ref: 19/00756/FUL in connection with the above house. At present, No. 1 has off street parking for one car and possibly a second. All the roads in Cudnall Street are congested with parked cars from the surrounding small roads. If the parking was removed from No. 1 Hamilton Street there would be two more cars to be accommodated and presumably for the occupant of the new building, in the event of planning permission being granted. There are parked cars in the street and two-way traffic to contend with.

I am totally against any development on this site, the mature tree (shown on the plan as being at the end of the garden) would be cut down and about three meters of garden would be left. The whole plan is totally unsuitable.

**Comments:** 29th July 2019

The latest revision of the plan suggests something that would be more suitable as accommodation on a building site than as a "dwelling". It is totally inappropriate for this conservaton area and I strongly hope that planning will be refused.

40 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HG

**Comments:** 9th July 2019

Letter attached.

**Comments:** 2nd August 2019

Thank you for sending me notification of the revised scheme for the above property.

I have viewed the revised plans carefully, and my previous objections still stand.

i.e. I still believe the proposed building in inappropriate and will have an adverse effect on the area which is a designated conservation area.

The proposal ignores the regulated building line.

Parking would be a big issue. Dangerous for both oncoming traffic, and for pedestrians unable to see what is coming round the corner either way.

43 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HL

**Comments:** 12<sup>th</sup> July 2019

Letter attached.

**Comments:** 2<sup>nd</sup> August 2019

Letter attached.

36 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HG

**Comments:** 9th July 2019

Letter attached.

**Comments:** 29th July 2019

Letter attached.

32 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HG

**Comments:** 19th July 2019

I wish to object to this application.

While the new proposals are more in keeping with the buildings around, the erection of a dwelling here would grossly interfere with the line of Cudnall Street houses. This would not enhance the conservation area.

Parking remains an issue: a house built here reduces the parking at no. 1, Hamilton St, and only has one parking space itself. Given that each house might have two cars, this may mean more pressure on parking in the area, already at a premium.

I am intrigued as to how the cherry tree in the garden of no. 1 seems to have moved in the drawing of the proposed building. Actually, a building of that size would mean chopping it down.

39 Cudnall Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HP

**Comments:** 10th July 2019

We wish to strongly object to the proposed development for the following reasons:

We believe that a new build on this site would be completely out of context, given that it is bordered on three sides by the Cudnall Street Conservation Area and is surrounded by buildings of historic significance, including 'listed buildings', 'key unlisted buildings' and 'positive buildings' in terms of character appraisal in the Index of Buildings of Local Interest (SPD). We think that this proposal is in breach of the Cudnall Street Conservation Area Management Plan Supplementary Planning Document. The proposed development would detract from the conservation area and from the setting of the historical buildings surrounding it and interfere with residents' and public enjoyment of this heritage site.

Furthermore, the proposed development ignores the building line of the north side of Cudnall Street and so spoils the established built pattern that lends this historical street so much character.

The Local Development Framework aims to prevent back garden development, yet this proposal leaves only three metres of garden between the side wall of our house and the single storey section of the building. As such, it could be classified as back garden development.

We are also concerned about noise disturbance, given that the new building would be sited only three metres away from our living room.

The architect drawings show a mature tree between the back of the development and our house, yet there would not be room for such a tree. Furthermore, the mature tree that is currently in-situ would need to be chopped down to allow for the new build.

We worry that if planning permission is granted for this footprint, it would be more difficult to refuse further planning consent in the future to convert the single storey section to two storey. This would have severe implications in terms of blocking light into our basement bedroom and would completely overlook our garden, negatively impacting our privacy, as well as spoiling views to the Cotswold scarp from our garden. The 1.5-storey section of the current proposal would also overlook our garden and negatively impact our privacy.

No planning permission has ever been granted for access to this proposed plot from Hamilton Street, despite a car port existing currently and manoeuvring into and out of this spot on the corner puts other road users and pedestrians at risk.

Finally, given that most households have two cars and the plans allow for only one parking space for each house, the proposed building would also be likely to increase on-street parking pressure, which is already at crisis point. Cudnall Street is already facing four new houses and the additional traffic created from yet another new build, using Cudnall Street for access is, in our view unwise.

**Comments:** 4th August 2019

Please read this objection in conjunction with our previous comments of Wednesday 10th July, 2019. All our previous objections still stand, since nothing has been done to address these significant concerns. Again, this design is totally out of context and at odds with the historical buildings that surround it. We agree with other comments that the latest proposal resembles a shipping container plonked amidst historical buildings. Again, it ignores the building line, increases pressure on parking, blocks the views in the conservation area, spoils the openness of Cudnall street and if it is allowed to go ahead, then the council will be condoning a driveway leading onto a blind corner, in a busy area that is used as a cut through. This will be dangerous for both traffic and pedestrians.

3 Hamilton Street  
Charlton Kings  
Cheltenham  
Gloucestershire  
GL53 8HN

**Comments:** 14th July 2019

I object to this proposed building, which is effectively on Cudnall Street, as it is completely out of character with the surrounding area which is one of the prettiest and most historic streets in Charlton Kings.

With the benefit of 60 years of hindsight, numbers 1, 3, 5 and 7 Hamilton Street should never have been built, as they jar with the rest of the street, and with Cudnall Street. As a result of this the conservation area boundary carves out 1 Hamilton Street, preventing the entirety of Cudnall Street from being in a conservation area.

At least there was an attempt at the time to set the development well back from Cudnall Street and maintain good lines of sight across the corners from North to East and North to West.

This proposed development breaches the North to West line of sight and builds right up against the pavement of Cudnall Street, taking advantage of the ill-considered boundary of the conservation area. In all but name this is a new and modern house on Cudnall Street, directly opposite a Grade II listed building.

In addition, subsequent to the original construction, a driveway has been built at 1 Hamilton Street which is on a blind corner, and will presumably be in frequent use if this development goes ahead, increasing congestion and the risk of road traffic accidents.

The proposed development compounds a poor planning decision that was taken 60 years ago. I would hope that a second mistake is not made.

As regards my own property, the proposed development impacts my view of Cudnall Street, but not to a great extent and this is not the basis of my objection.

CHELTENHAM BOROUGH COUNCIL  
P O BOX 12  
MUNICIPAL OFFICES  
PROMENADE  
CHELTENHAM GL50 1PP



**Proposal: A proposed 1.5 storey one bed dwelling (revised scheme: 19/00756/FUL)  
at 1 Hamilton Street, Charlton Kings, Cheltenham**

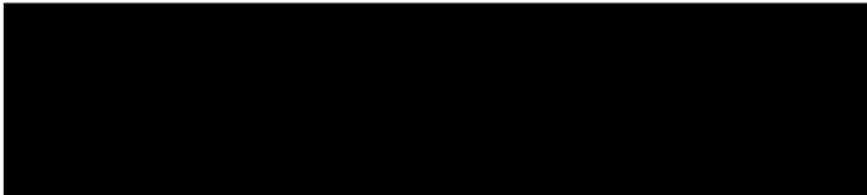
**from Hetton Cottage, 40 Cudnall Street, Charlton Kings, Gloucestershire GL53 8HG**

I would like to raise an objection. I have lived in Cudnall Street for 28 years along with friendly and cooperative neighbours; most of us will be affected by this proposal.

I believe that the proposed building is inappropriate for the area and will have an adverse effect on Cudnall Street which is a designated conservation area.

The proposal totally ignores the regulated building line.

Parking would certainly be an issue, proving to be dangerous for both oncoming traffic, and for pedestrians unable to see what is coming around the corner.





43, Cudnall Street,  
Charlton Kings,  
Cheltenham,  
Glos.  
GL53 8HL

9<sup>th</sup> July 2019

Miss Michelle Payne  
Planning Officer,  
Cheltenham Borough Council,  
Municipal Offices,  
Promenade,  
Cheltenham  
GL50 9SA

Re: Revised scheme ref: 19/00576/FUL

Dear Miss Payne,

**A proposed 1.5 storey, one bed dwelling (revised scheme ref: 19/00756/FUL) at 1 Hamilton Street, Charlton Kings, Cheltenham**

We write to you as the owners and occupiers of 43, Cudnall Street, in order to object to the revised scheme ref: 19/00576/FUL to erect a 1.5 storey, one bed dwelling at 1 Hamilton Street, Charlton Kings.

The revised proposal still does not address the fundamental objections to the erection of a new investment property on this site. These are that:

- It fails to recognise the sensitivity of building on a highly visible corner site on a road junction at the centre of the Cudnall Street Conservation Area, to the potential damage of the built environment and consequent loss of amenity value to local residents and the wider public;
- The entire footprint extends beyond the building line on Cudnall Street, and will create an intrusive, enclosed space, abutting the pavement, consistent neither with the scale or form of the historical buildings and front gardens running along this section of Cudnall Street, nor of the adjoining semi-detached houses on Hamilton Street;
- It will breach the architectural layout and associated planning conditions under which the row of paired semi-detached houses on Hamilton Street (Nos 1,3,5 and 7) were built;
- It fails to satisfy the planning criteria for development on garden land and infill sites agreed by Cheltenham Borough Council (Local Development Framework, Development on Garden Land and Infill Sites in Cheltenham, Supplementary Planning Document June 2009), and by Charlton Kings Parish Council in its Planning Policy (approved by Full Council on 25<sup>th</sup> September 2017).
- It will exacerbate traffic related problems in relation to on-street parking and increase the health and safety risk to pedestrians and road users.

While the revised proposal reduces the vertical profile of the proposed dwelling compared with the original design, it does so by increasing the horizontal footprint along Cudnall Street without offsetting the fundamental issues associated with building on this site.

Our detailed objections to the development, amended where appropriate to reflect the revisions made to the initial proposal are as follows:

## 1. Townscape and natural environment significance

The junction between Cudnall Street and Hamilton occurs at a central point in the Cudnall Street Conservation Area, visually impacting not only the neighbouring historic houses, but also affecting the character of the Conservation Area as a whole. 1, Hamilton Street lies at this intersection and, although not currently within the Conservation Area, is surrounded by it on three sides: to the south, west and east. Its location is, therefore, particularly sensitive (see attached Townscape Analysis Map).

The proposed development assumes that the site is “a natural infill site in an urban location”, failing to recognise the sensitivity of the site and the negative impact it will have on the Conservation Area. In so doing, it fails to satisfy the planning criteria agreed by Cheltenham Borough Council (Local Development Framework, Development on Garden Land and Infill Sites in Cheltenham, Supplementary Planning Document June 2009), and by Charlton Kings Parish Council in its Planning Policy (approved by Full Council on 25<sup>th</sup> September 2017).

The Planning Policy of the Parish Council “seeks to maintain the unique character and feel of Charlton Kings, particularly in the three Conservation Areas - St Mary’s, Cudnall Street and Bafford - by opposing inappropriate design or development. Housing development should be sympathetic to the existing street scene.” The revised proposal fails to meet these criteria:

- a. The proposed ‘one-off’ design is not in character with or sympathetic to the houses in Cudnall Street, which include No. 36, Elborough Cottage, a Grade II listed property, dating back to the 15<sup>th</sup> century and immediately opposite 1 Hamilton Street, and other neighbouring houses on Cudnall Street of designated local historic character and interest; nor is the design consistent with the four 1960’s semi-detached houses of which 1 Hamilton Street is part.
- b. It would change the unique character and feel of the Cudnall Street Conservation Area. An important contributor to that unique character and feel is the gradual bend in Cudnall Street, referred to in the Cudnall Street Conservation Plan, which “has a gentle, winding form”, which “creates a series of staggered views as new views and spaces are constantly experienced as one travels along the road” (Cudnall Street Conservation Area Character Appraisal and Management Plan, June 2009, 4.5). By breaching the building line, the proposed development will intrude upon and obstruct this view, disrupting it at a significant mid-point.
- c. It will also disrupt the view from Hamilton Street onto Cudnall Street. Hamilton Street gradually opens out onto a view of both Grade II listed Elborough Cottage and No 34, Cudnall Street, a house of designated local interest. Notwithstanding the proposed reduction in height to 1.5 storeys, the new building will still disrupt this view, adversely affecting the residents of Hamilton Street and Cudnall Street, whose properties lie within the Conservation Area on the east side of the road, and members of the public walking or driving down Hamilton Street.
- d. The Conservation Plan recognises the fact that Cudnall Street contains some modern residential dating from the mid 20<sup>th</sup> century, which fit with varying degrees of success into the historic context of the area. However, it notes that “these buildings tend to be set back from public space and do not dominate the historic buildings within the street scene” (5.10). The proposed development would no longer be set back from the road and the adjoining public space would have a disproportionate negative impact on the street scene.
- e. The importance of gardens and frontages is highlighted in the Plan, “which contribute to a sense of space and greenery evident within the Conservation Area” (4.6). The revised proposed will reduce the footprint of the existing garden even more than the original proposal by extending the footprint further into the back garden. This will adversely impact on the open, green space

- at the junction of Hamilton Street and Cudnall Street, which is enhanced by the triangular green on the east corner and by the south facing tree and hedge lined garden of 43, Cudnall Street.
- f. It also entails cutting down the semi-mature copper leaved tree in the garden, which improves the views along Cudnall Street and obscures the visual impact of the telegraph pole and telegraph lines on the adjoining pavement.
  - g. Council Policy “resists cases of inappropriate ‘back garden development’, where it impacts adversely on neighbour’s quality of life or the overall environment of Charlton Kings.”  
The proposed development is a side-garden extension on a corner plot which is highly visible on three sides. It is precisely the category of ‘back garden’ development which the criteria set out in the Local Development Framework and the Parish Council Planning Policy is designed to prevent.
  - h. The unsightly gable end of 1 Hamilton Street, the temporary rain-proof structure, and the panel fencing on Cudnall Street, do not contribute positively to the built environment. However, it is possible to remedy this in relatively simple ways, including rendering and painting the gable end; removing the temporary structure; additional planting of trees and shrubs; and replacing the panel fence with more sensitive screening. It does not justify the erection of a new building, the long-term detrimental effect of which will greatly outweigh any gain.

## 2. Layout and development pattern

Planning permission for four semi-detached dwellings, of which 1 Hamilton Street forms part, was granted on 16<sup>th</sup> July 1964. A plan of the proposed layout and the conditions under which planning was granted are attached for reference. We draw attention to the following points:

- a. The building line of 1 Hamilton Street has been set back from the terraced houses to the immediate west of the development, where it joins Cudnall Street, consistent also with the line of 43, Cudnall Street to the east, which ensures an uninterrupted view along the curve of Cudnall Street.
- b. The layout allowed for a wider garden at 1, Hamilton Street to the south, compared with 7, Hamilton Street to the north. The dotted lines on the attached plan indicates that this was done to retain a matching, open, green space at the junction between Hamilton and Cudnall Street.
- c. Parking space is shown to the north side of the property avoiding intrusion onto the adjoining garden space and the health and safety risk of utilising a blind corner for vehicle access.
- d. Planning permission was granted subject to: “the screen wall adjoining Cudnall Street shall be of not less than 6 ft. in height”. Planners at the time were clearly sensitive to the need to harmonise the boundary wall with other properties on Cudnall Street, and to protect the view from Cudnall Street.
- e. In addition to the specific condition above, permission was granted subject to compliance with two general conditions: “(a) In order that the proposed buildings shall harmonise in appearance with the existing buildings of the locality. (b) In order to safeguard the residential amenities of nearby dwellings”. These are consistent with the current policy guidelines to protect Cudnall Street and the east side of Hamilton Street lying within the Cudnall Street Conservation Area.

It is our contention that, in addition to contravening current planning policy, the proposed development would breach the layout and conditions under which planning permission was granted in July 1964.

### 3. Built Form

Reference has already been made to the 'one-off' design of the proposed development. The revised proposal, like the original, fails to match the design of either the neighbouring properties on Cudnall Street, nor the adjoining or facing houses on Hamilton Street.

The revised proposal reduces the vertical bulk of the proposed dwelling and re-aligns the front face onto Hamilton Street. However, this is achieved by extending the footprint horizontally, offsetting the vertical reduction, and in-filling the majority of the back in addition to the side garden. The 1.5 storey detached design remains out-of-keeping with the form and scale of the neighbouring houses in Cudnall and Hamilton Street.

Contrary to the claim that No 1 Hamilton Street occupies "a large corner plot", the design seeks to accommodate a narrow, corner site and gable end, which is highly visible on all sides. The proposed design will still give the visual impression of being inappropriately 'squeezed in' and out-of-place. This will have a detrimental impact to neighbouring residents and the wider public due to the exposed nature of the site.

In these respects, it fails to respect or complement the existing street layout, as required by the Local Development Framework Supplementary Planning Document (June 2009).

### 4. Enclosure

The proposed building will intrude on the building line and interrupt the garden frontage on Cudnall Street and will damage the character of the street and the Conservation Area viewed as a whole.

### 5. Amenity

The proposed development fails to protect the amenities of existing and new residents in the neighbouring properties and will reduce the wider enjoyment of the Conservation Area by residents and members of the public.

In addition to the objections previously stated, there will be specific loss of amenity in relation to 43, Cudnall Street, as a result of:

- a. Loss of sunlight and increased overshadowing of house and garden from a westerly direction;
- b. Loss of privacy due to overlooking from the proposed 1.5 storey building;
- c. Increased noise disturbance from the increase in the number of cars (see Traffic below);

### 6. Age and Architectural Style

The varied age and architectural style of properties in the Cudnall Street Conservation Area is one of its appeals. Mid 20<sup>th</sup> century developments, such as the row of semi-detached houses of which 1 Hamilton Street forms part, have not generally enhanced the overall architectural appeal. However, the negative impact has been mitigated retention of building lines and front gardens. The proposal seeks to overturn previous planning policy in this regard, failing to take account of the age and architectural styles of the neighbouring properties on Cudnall Street; nor is it consistent with the adjoining and facing properties on Hamilton Street.

## 7. Access, Parking and Traffic

There are currently two car parking spaces at 1 Hamilton Street (The temporary cover in the garden is not currently used as a parking space). Consistent with the social demography of the area, any new development with one or more bedroom should allow for at least two new parking spaces. Due to the configuration of the site, there is no room for additional spaces. The additional on-street parking will:

- a. Exacerbate the existing traffic congestion in Cudnall Street and Hamilton Street. This is due to steadily increasing car ownership by the owners of terraced houses in Cudnall Street and Hamilton Street, which have no capacity for off-street parking.
- b. There is already regular parking on double yellow lines at the corners of Hamilton Street, London Road and Cudnall Street, which obscures the sight line for cars, increasing the risk of accidents and access difficulties for service and emergency vehicles.
- c. As noted in the Cudnall Street Conservation Area Plan, Hamilton Street is used as a 'rat-run', particularly during the school run in the morning and afternoon. The proposed development will restrict the sight line in both directions, increasing the risk of accidents occurring with children and young people involved.
- d. The danger is exacerbated by the siting of the driveway on the corner of Cudnall and Hamilton Street, which requires cars to reverse in or out on a blind corner. The revised plans will do nothing to mitigate this risk to the health and safety of pedestrians and road users.

## 8. Attachments

- a. Townscape Analysis Map of Cudnall Street Conservation Area
- b. Office Copy, Proposed development of No 4 3 bedroomed houses, Greyroof, Hamilton Street
- c. Planning Approval, Erection of two pairs of semi-detached houses with integral garages, 16<sup>th</sup> July 1964

In summary, contrary to the Design and Access Statement provided with the original proposal, the application seeks to build on a sensitive residential site which is unsuitable for further development, and which will damage the context of the surrounding area.

For the above reasons, we object to the proposed development and request that planning permission is refused.

Yours sincerely,

A large black rectangular redaction box covers the signature and name of the objector. The redaction extends across the width of the page and down to the bottom margin.



Part 1 – Character Appraisal

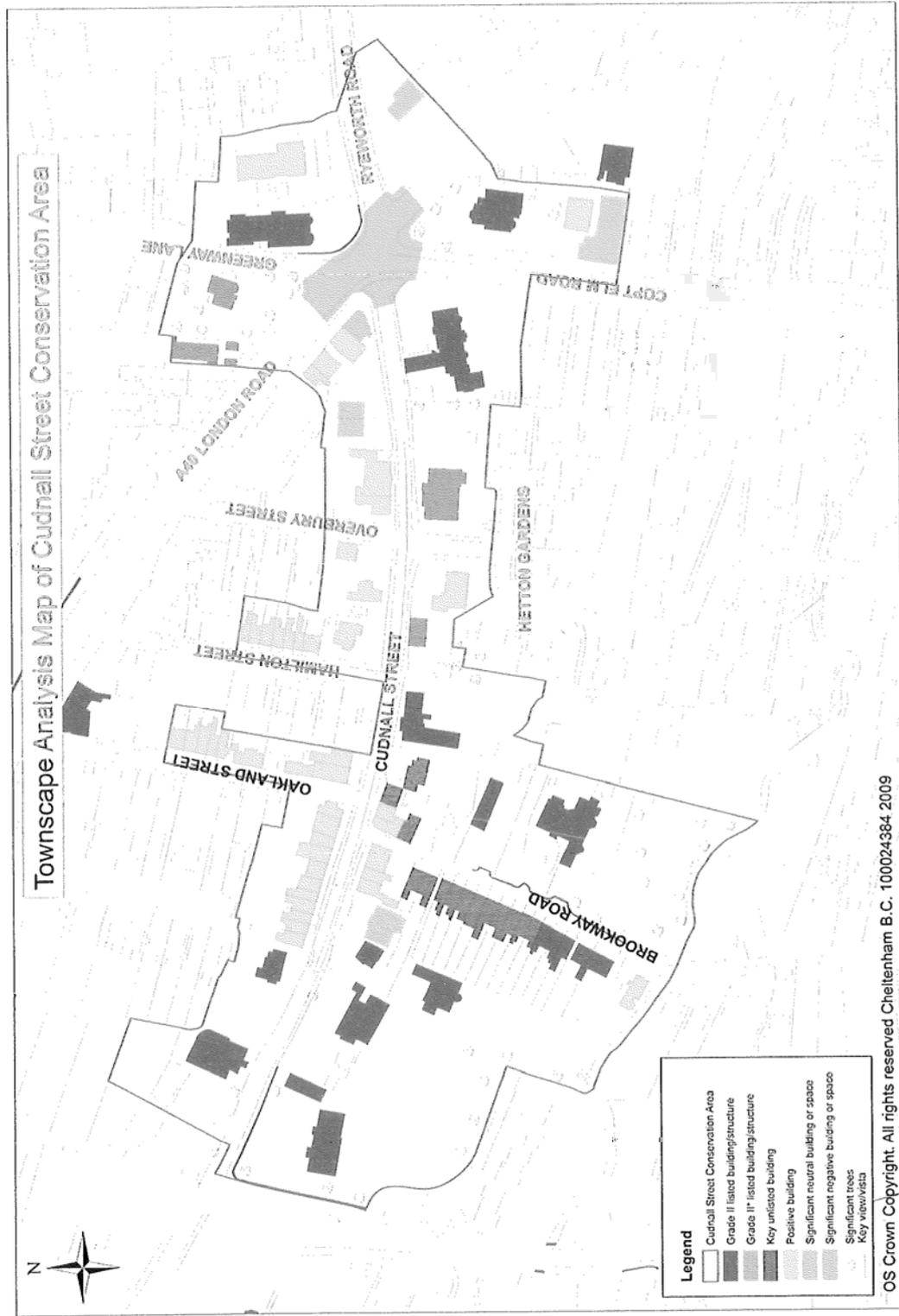


Figure 1 Townscape Analysis Map of Cudnall Street Conservation Area





OFFICE COPY

Proposed development of No 4 3 bedroomed houses  
Greyroaf, Hamilton St, Charlton Kings, Chelt.

County of Gloucester ~~1005221~~ with the dwellinghouse  
 erected thereon or on some part thereof the land being  
 part of that comprised in the Title above mentioned  
 AND TOGETHER with the rights set out in the first  
 Schedule hereto and EXCEPT AND RESERVING the rights  
 set out in the Second Schedule hereto and the Trans-  
 feree so as to bind the land hereby transferred into  
 whosoever hands the same may come and to benefit and  
 protect the transferors' adjoining or neighbouring  
 land for the time being unsold including the remainder  
 of the land comprised in the Title above mentioned and  
 any and every part thereof hereby for the transferee  
 and the successors in title of the transferee covenants



TOWN AND COUNTRY PLANNING ACT, 1962.

To Trustees of [REDACTED]  
 c/o Messrs. Rollo Steven & Bond, 97 Sengate, Dundee.  
 Agents: Messrs. W. Parker & Son, 111 Promenade, Cheltenham.

In pursuance of their powers under the above mentioned Act the Council as Local Planning Authority HEREBY APPROVE the details of the development described hereunder subject to the conditions hereunder stated.

Description of Land	Description of Development
Adjoining 'Greyroof', Hamilton Street, and Cudnall Street, Charlton Kings. O.S. 4105, 26.12 (Edn. 1923). (Charlton Kings U.D.). Main services.	Erection of two pairs of semi-detached houses with integral garages. (Amended siting). Walls: h.b.c. facing. Roof: concrete tiles. Construction of vehicular accesses.

CONDITIONS ATTACHED TO APPROVAL

- (a) Building operations shall not be commenced until a sample of the facing brick and roofing tile proposed to be used has been submitted to and approved by the Local Planning Authority, and all facing bricks and roofing tiles used in the construction of the buildings hereby authorised shall conform to the sample so approved.
- (b) The screen wall adjoining Cudnall Street shall be not less than 6 ft. in height.

The reasons for the Council's decision to grant approval for the details of the development, subject to compliance with the conditions hereinbefore specified are :-

- (a) In order that the proposed buildings shall harmonise in appearance with the existing buildings of the locality.
- (b) In order to safeguard the residential amenities of nearby dwellings.

Dated 16th day of July 1964.

This certificate should be passed to the applicants. GUY. H. DAVIS,  
 Clerk of the Council.

IMPORTANT - SEE NOTES OVERLEAF





43, Cudnall Street,  
Charlton Kings,  
Cheltenham,  
Glos.  
GL53 8HL

1<sup>st</sup> August 2019

Miss Michelle Payne  
Planning Officer,  
Cheltenham Borough Council,  
Municipal Offices,  
Promenade,  
Cheltenham  
GL50 9SA

Re: Revised scheme ref: 19/00576/FUL

Dear Miss Payne,

**A proposed 1.5 storey, one bed dwelling (revised scheme ref: 19/00756/FUL) at 1 Hamilton Street, Charlton Kings, Cheltenham (amended plans notification dated 26.7.19)**

Thank you for notifying us of the further revisions to the plans for a new building at 1, Hamilton Street. We comment as follows:

The amended plans for a single storey building fail to address the fundamental objections to the 1.5 storey scheme detailed in our letter dated 9<sup>th</sup> July 2019.

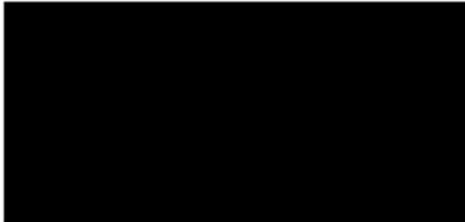
In relation to the additional drawings submitted we add the following further objections:

- The amended plans give the appearance that the reduced single storey profile will be largely hidden from view, but this is deceptive. This has been achieved by narrowing the perspective to the building itself without showing how it relates to its wider surroundings. Viewed in this wider context, the building will still be highly visible from every side and obtrusive to the built environment.
- The design is detrimental to the architectural integrity and historic character of the neighbourhood:
  - It consists of a horizontal block which has the form and appearance of a shipping container, incorporating one double bedroom, a bathroom and a living/kitchen room, in marked contrast to the built form, size and elevation of the neighbouring houses;
  - The design replaces brick and slate construction with aluminium panels, entirely out-of-keeping with the design and construction of the neighbouring houses;
  - The flat roof will stand out contrast to its surroundings, in particular when viewed downhill from the Hamilton Street side of the Conservation Area;
  - The design incorporates a side gate in addition to two windows overlooking Cudnall Street, breaching current constraints, which include a windowless gable end, and which allow access to Hamilton Street, but not to Cudnall Street;

- It is not clear how the 'Planter', which is squeezed between the house and the wall adjoining Cudnall Street can be adequately drained and maintained given the required height of the house and garden wall;
- The semi-mature, copper leaved tree, which is an amenity feature within the Conservation Area, will still have to be removed, in order to make room for the building.
- A walk down Cudnall Street, or review of the street plan, illustrates the fact that none of the newer buildings in or adjoining Cudnall Street (not simply the semi-detached houses on Hamilton Street) have been designed or permitted to breach the building line. All have been built with front or side gardens, with a view to preserving the architectural integrity and historic character of the street. There are no grounds for revising this precedent under the current planning framework.
- We would also like to draw attention to the important role played by the front/side gardens in Cudnall Street in maintaining and enhancing bio-diversity, and the consequent social and environmental benefits of retaining the side garden at 1, Hamilton Street as open, green space.

In summary, this 'cut price' version of the original plans will neither maintain the special architectural qualities of Cheltenham and its environment, in general; nor the Cudnall Street Conservation Area, in particular; nor does it meet the minimum threshold of good design in new developments.

Yours sincerely,





Elborough Cottage  
36 Cudnall Street  
Charlton Kings  
Cheltenham  
GL53 8HG

9<sup>th</sup> July 2019

Miss Michelle Payne  
Planning Officer  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

Ref:19/01237/FUL

Dear Miss Payne

A proposed 1.5 storey, one bed dwelling at 1 Hamilton Street Charlton Kings Cheltenham

I write to you in respect of the above as owner and occupier for the last 32 years of Elborough Cottage, 36 Cudnall Street, situated directly opposite the application site in order to raise my concerns and objections to the proposed development. In my opinion the proposed development is inappropriate for a number of reasons which are detailed below.

#### Planning History

On 16<sup>th</sup> July 1964 planning consent was granted for the erection of two pairs of semi-detached houses with integral garages which are now known as 1, 3, 5 and 7 Hamilton Street. I enclose a copy of the original consent together with the plan attached to it. From this you will see that the development is well set back from Cudnall Street and respects the Building Line on the north side of Cudnall Street. A condition of the consent was that a screen wall not less than 6 foot in height should run from 1 Hamilton Street to 39 Cudnall Street.

I have visited Cheltenham Planning Department who informed me that there have been no planning applications in respect of 1 Hamilton Street from 1964 to 22<sup>nd</sup> March 2019. It would therefore appear that the previous owners of the property have ignored the planning condition to build a screen wall and instead have built a dwarf blockwork wall with a close boarded timber fence along the Cudnall Street frontage. They have also erected a carport with a translucent corrugated plastic roof. It is open sided on three fronts with the fourth side constructed of brick and blockwork. In order to access the carport the vehicle has to reverse in across the Hamilton Street / Cudnall Street junction which is a hazard. All this has been done without any planning consents being obtained.

Turning to the current planning application that was submitted on the 22<sup>nd</sup> June 2019 I would comment as follows:

#### Heritage

Paragraph 189 of the National Planning Policy Framework requires applicants to describe the significance of affected heritage assets, including any contribution made by their setting, in a manner proportionate to their significance. In this instance the application site is located directly opposite and within 6 metres of the Grade II listed Elborough Cottage and is bordered on three sides by the Cudnall Street (Charlton Kings) Conservation Area. The application statement pays little more than passing regard to the former and does not even reference the latter.

The shortcomings of the proposals in terms of their impact on the settings of heritage assets are evident in the scale and siting of the proposed building. Its siting some 6 metres from the distinctive forward elevation of Elborough Cottage encroaches on the sense of openness surrounding the building and on views to it from Hamilton Street in particular. Moreover the positioning completely ignores the Building Line of the north side of Cudnall Street and detracts from the established built pattern that characterises the heritage asset.

Policy SD8(3) of the adopted Joint Core Strategy states that "Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance and for their important contribution to local character, distinctiveness and sense of place". The proposals will in practice detract from both the Conservation Area and the setting of Elborough Cottage and therefore conflict with this policy.

Paragraph 192( c ) of the Framework also advocates "the desirability of new development making a positive contribution to local character and distinctiveness". This is echoed at SD8(2) of the Joint Core Strategy. The proposed development does not contribute to local character or distinctiveness in any way thus presenting a conflict with both local and national policy.

The application also has to be considered in the context of Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which directs that decision makers have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" As the proposals fail to preserve the setting of Elborough Cottage, allowing this proposal in the absence of proper justification would conflict with this statutory duty.

#### Back Garden Development

At ground floor level the single storey section measures approximately 9 metres in length and extends right into the back garden leaving only 3 metres of garden between the rear wall of the single storey extension and 39 Cudnall Street. This is a classic case of back garden development which the Local Development Framework seeks to prevent.

#### Trees

The only tree of significance on the site is the purple leaved cherry tree which has grown to a height of about 5 metres. It is located close to the Cudnall Street boundary with some boughs over hanging into the Conservation Area. It is clear from the plans that this tree will have to be cut down to make way for the proposed single storey extension. However there is no mention of this in the application. The plans submitted show a mature tree in the south west corner of the garden but this does not exist.

## Parking

The planning application is ambiguous and in my view misleading on the question of car parking. The application states that there are two spaces at present. However it goes on to say that the total proposed (including spaces retained ) is one , leading to a reduction of one space. This is wrong as it ignores the fact that 1 Hamilton Street retains a car parking space and so there is no reduction in the total number of parking spaces provided. This also highlights the fact that 1 Hamilton Street currently has the benefit of two car parking spaces but this would be reduced to one. In an area where on street parking is scarce and typically there are two cars per household the proposals would only increase the pressure on parking .

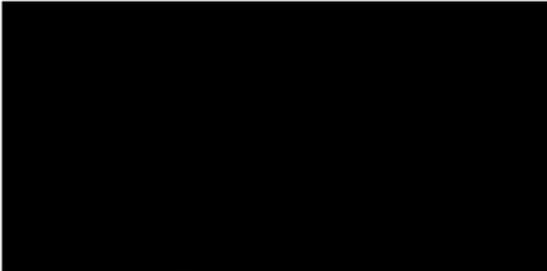
## Highways

It is quite apparent that due to the proximity of the proposed vehicular access that it would not be possible to turn left from Cudnall Street onto Hamilton Street and directly into the parking area shown, nor perform the manoeuvre in reverse. This means that in order to park a car the driver has to reverse across the Cudnall Street/ Hamilton Street Junction .This represents a significant danger to both road users and pedestrians in the vicinity and would conflict with Policy INF1(1)(i) of the adopted Joint Core Strategy. This is what happens at the moment but as I mentioned earlier no planning consent has ever been granted for this access from Hamilton Street or the carport.

## Conclusions

For the reasons explained above, namely the impact of the development on the heritage assets, local character, appearance and highway safety I must object to this application.

Yours sincerely



9<sup>th</sup> July 2019

Gloucestershire County Council

TOWN AND COUNTRY PLANNING ACT, 1962.

To [redacted] deed.  
c/o Messrs. Hollo Steven & Bond, 97 Seagate, Dundee.  
Agents: Messrs. W. Parker & Son, 111 Promenade, Cheltenham.

In pursuance of their powers under the above mentioned Act the Council as Local Planning Authority HEREBY APPROVE the details of the development described hereunder subject to the conditions hereunder stated.

Description of Land	Description of Development
Adjoining 'Greyrook', Hamilton Street, and Gudnall Street, Charlton Kings. O.S. Glos. 26.12 (Edn. 1923). (Charlton Kings U.D.). Main services.	Erection of two pairs of semi-detached houses with integral garages. (Amended siting). Walls: L.D.C. facings. Roof: concrete tiles. Construction of vehicular accesses.

CONDITIONS ATTACHED TO APPROVAL

- (a) Building operations shall not be commenced until a sample of the facing brick and roofing tile proposed to be used has been submitted to and approved by the local Planning Authority, and all facing bricks and roofing tiles used in the construction of the buildings hereby authorised shall conform to the sample so approved.
- (b) The screen wall adjoining Gudnall Street shall be not less than 6 ft. in height.

The reasons for the Council's decision to grant approval for the details of the development, subject to compliance with the conditions hereinbefore specified are :-

- (a) In order that the proposed buildings shall harmonise in appearance with the existing buildings of the locality.
- (b) In order to safeguard the residential amenities of nearby dwellings.

Dated 16th day of July 1964.

This certificate should be passed to the applicants, GUY. H. DAVIS,  
Clerk of the Council.

IMPORTANT - SEE NOTES OVERLEAF



OFFICE COPY  
 proposed development of No 4 3 bedroomed houses  
 Greyroof Hamilton St Charlton Kings Chelt.

County of Gloucester ~~TOGETHER~~ with the dwellinghouse  
 created thereon or on some part thereof the land being  
 part of that comprised in the Title above mentioned  
AND TOGETHER with the rights set out in the First  
 Schedule hereto and RIGHT AND RESERVED the rights  
 set out in the Second Schedule hereto and the Trans-  
 feree so as to bind the land hereby transferred into  
 whosoever hands the same may come and to benefit and  
 protect the Transferees' adjoining or neighbouring  
 land for the time being unsold including the remainder  
 of the land comprised in the Title above mentioned and  
 any and every part thereof hereby for the Transferee  
 and the successors in title of the Transferee covenants



Elborough Cottage  
36 Cudnall Street  
Charlton Kings  
Cheltenham  
GL53 8HG

29<sup>th</sup> July 2019

Miss Michelle Payne  
Planning Officer  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA  
Ref: 19/00756/FUL

Dear Miss Payne

A revised application for a single storey, one bed dwelling at 1 Hamilton Street  
Charlton Kings Cheltenham

This letter of Objection should be read in conjunction with my letter of 9<sup>th</sup> July 2019 in which I set out my reasons for objecting to the application for a 1.5 storey dwelling on the same site. All those points are relevant to the revised scheme submitted on the 26<sup>th</sup> July 2019. In addition I would make the following comments:

**Materials:** It is proposed that the elevations be clad in "Standing Seam" aluminium together with aluminium capping to the roof and aluminium framed glazing. These are totally inappropriate materials for a site surrounded on three sides by the Conservation Area and make the dwelling look like a shipping container.

The proposed brickwork boundary wall along Cudnall Street would have a height of approximately 1.95 metres (6 foot 4 inches) and a length of 17.3 metres (57 feet) from 39 Cudnall Street up to the front elevation of 1 Hamilton Street. This would be a very harsh boundary wall being only 6 metres (19 foot 8 inches) from the front elevation of Elborough Cottage and encroach on the sense of openness surrounding the building. It would also be in breach of the National Planning Policy Framework and the Joint Core Strategy.

I think that the proposed gate opening on to Cudnall Street would intrude into the Conservation Area and detract from it.

For all these reasons I object to the original application and the revised application and would ask that planning consent be refused.

Yours sincerely,

