

Development on Garden Land and Infill Sites Supplementary Planning Document and Associated Sustainability Appraisal: Statement of Representations (Regulation 18 Statement)

1. This statement has been prepared in accordance with regulation 18 (4) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004. It explains how the Council consulted on the Draft Development on Garden Land and Infill Sites Supplementary Planning Document, describes the level and type of response, and the main issues raised. It also sets out any significant changes that the Council has made to the SPD as a result of the consultation. The SPD was adopted on 29th June 2009.
2. A summary of all the consultation responses to the SPD, the Council's comments on each, and all proposed modifications can be found at the back of this statement.
3. The Council has also made changes to the SPD in response to the Sustainability Appraisal (see paragraphs 43 and 44 in this document, and the final SA report which can be found on the Council's website: www.cheltenham.gov.uk.)

How the Council consulted, responses and main issues raised

Preliminary consultation and evidence gathering

4. The Council conducted preliminary consultation before the formal consultation period in order to inform the preparation of the SPD. A previous report to Cabinet on 17th March 2009 describes this consultation and can be found on the Council's website at www.cheltenham.gov.uk.

Formal Consultation Period

5. The Council employed a range of methods to ensure that the widest public awareness of the SPD was achieved and to facilitate a high level of participation and response. These various approaches were integrated into a six week consultation period, running from Tuesday 7th April to Monday 18th May.
6. The Council placed various press releases in the local media to raise awareness of the SPD and the consultation. It also placed appropriate statutory notices in the local press. The Council made printed copies of the SPD, draft Sustainability Appraisal Report and the Statement of Compliance available for inspection at deposit locations as well as leaflets explaining the SPD. The draft SPD, draft Sustainability Appraisal Report and other papers were made available via the Council's website along with contact details for queries and an on line comments form. A dedicated telephone helpline was also provided.

Consultation events

7. During the consultation period, workshops were held with councillors, stakeholders and council officers. The workshops were run by consultants Baker Associates to assist in the process of producing the SPD. The results of the workshops have been fed into the consultation process.

Stakeholders' workshop

8. Key points to emerge from the stakeholders' workshop were:
- There was some discussion as to whether the document could anticipate the national policy framework of the future, in the event of a change of Government. It was felt however that the document had to work within the prevailing policy context, and could not anticipate any future changes in national level policy.
 - There was some discussion of housing numbers, and the impact that proposals for development on garden land might have on the Council's housing requirement. Some considered that most of the garden land development that was possible in Cheltenham had already happened, and others that the proportion of housing coming from this source was so small that the document was not required. It was noted that if housing development ceased to come forward from garden land, then more land would have to be found on the edge of the urban area.
 - Some considered that the issue of housing numbers was less important than the fact that the issue was clearly a sensitive one in Cheltenham, and therefore a document that articulates what is appropriate is worthwhile
 - Some expressed the view that the SPD was a waste of money, and considered that it does not add anything to the policies that are in place. The view was expressed that developers and their agents, should already be doing the things set out in the document, and the document will not change the tendency for different people to interpret policies in different ways.
 - Others felt that the document was worthwhile as it will set out more clearly for all those involved what issues are being considered.
 - The document sets out an approach which is based on assessing and responding to the character – this was considered to be a good thing, but concern was raised that such assessments will ultimately be biased if they are carried out by applicants.
 - Some residents noted that it was not the principle of development in rear gardens that many were against, but rather the type, size and style of buildings being proposed on particular sites, therefore the ability to influence schemes at an early stage was important.
 - It was suggested that the Council should adopt a process whereby they put residents' associations in touch with developers at an early stage in pre-application discussions, so that they might have a more meaningful input into the development of schemes. Residents were aware of examples where this had happened and where they had been able to make a difference to the design.
 - The comment was made that rear garden development should be unacceptable in principle as it changes the texture of an area, creating incursion into perimeter blocks which is inappropriate – The view was expressed that the

document should not therefore include any codification of how this might be done in an acceptable way.

- Some felt that the quality of designs submitted to the Council was not good, and there was some discussion as to whether the use of architects would improve this.
- There was some discussion of the nature of back gardens and their contribution to the character of an area. Some felt that visibility from the road should not determine whether gardens are of townscape value; the collective appreciation of back gardens by those who could see them, was also important to character. In addition, back gardens provided important amenity spaces.
- Some residents and agents considered that, rather than responding on a case by case basis, there should be a more strategic approach to garden land development. This would provide scope for improved site design and trigger requirements for affordable housing.

Officers' workshop

9. Key points to emerge from the officers' workshop were:
 - There was a consensus that the document would be useful in making the decision process more explicit and clear to others. It provides a detailed breakdown of how assessments are made, and this was considered more useful than a tick box approach. It also establishes the discipline to consider a range of different factors
 - The process of beginning by assessing the character of an area was considered to be helpful – whilst officers already do this on a subconscious level, explicitly articulating this was considered to be a useful process. Officers are also increasingly expecting this kind of character analysis from Design and Access Statements, and the document will give them something more robust with which to demand higher standards in this area.
 - Participants also considered how this process might be reflected in the officers' report to committee; allowing the thinking process behind an officer's recommendation to be shared in more detail.
 - There was some discussion of the value of rear gardens, especially those which cannot be seen from the public realm. In general, the character of an area is assessed from the public realm. However, in Conservation Areas in particular there is considered to be a value in back gardens, and there was some discussion of the importance of a quiet, pleasant garden atmosphere to the character of an area; the key question being whether the loss of such gardens, or incursion into the block, would cause harm to that character. A change in character is not necessarily harm, and it would depend on the importance of that space to the character.
 - Some felt that, rather than simply responding on a case by case basis to applications for development on garden land, the Council should take a more strategic approach, and produce development briefs for sites likely to come forward; thus avoiding cumulative impacts.
 - It was also suggested that the document might be used as a tool in negotiation with applicants, with officers being able to discuss with applicants how their proposals perform against certain criteria, and using the document to improve schemes.

Councillors' workshop

10. Councillors generally welcomed the document and were supportive of the approach and its contents. There were several questions of clarification and suggested additions / amendments. Key points to emerge were:

- The document is well laid out and draws together the issues in a coherent way
- Cabinet would like more emphasis in the introduction on the need for good design and a considered approach to ensure that development is of the highest quality and in keeping with the character of the local area.
- The introduction should also give a clear steer on why the document has been produced, and why this is such a sensitive subject. There should be an emphasis in the early paragraphs on the need for applicants to meet certain standards if they wish to gain planning permission – this is about creating high quality places that promote quality of life, not simply about allowing development because it would improve derelict or degraded sites. Local residents are affected by development on nearby gardens.
- Concern was expressed about the impact on quality of life when development of garden land involves putting small houses on small plots.
- There should be something in the beginning that emphasises that it is expected that the developer will work with the local planning authority to develop the very best scheme for a site (assuming the site is suitable for development).
- There were also a number of comments regarding the problems related to garden land and the difficulty in assessing and determining applications, and in representing local residents' concerns. It was felt that the document would assist in developing a clear and consistent approach.
- There were questions about the robustness of the document within the policy framework and its ability to withstand a change of approach with a change in Government. It was pointed out that its basis in Local Plan policy gives it the robustness necessary. This would need to be retained within the emerging Core Strategy or other Development Plan Document (DPD).
- There was a discussion about the introduction of a presumption against development on garden land. Legal advice was being sought but officers pointed out that legislation would not allow a presumption against.
 - *Note – advice has now been received from the legal team as follows:*

“SPDs have to be consistent with the existing local plan and as the suggested presumption would not be consistent then it would be viewed by the courts and the planning inspectorate as unlawful.

In preparing the LDF core strategy any new local plan policies would have to be consistent with government policy. The council will have to decide how much reliance to place on 'brownfield land' sites including gardens as opposed to vacant and derelict sites when they decide on their overall policy for the location of houses.

The government has set a target of 6,500 homes to be built in the urban area of Cheltenham and a proportion of this requirement will be provided on brownfield sites, potentially including garden sites which come forward as 'windfalls'. If housing development is restricted on brownfield /garden site, the council will need to consider alternative locations for housing in

order to meet the requirement which could include greenbelt and greenfield sites within and outside of the urban area. A difficult choice may have to be made.”

Statutory and Non-Statutory Consultees, Interested Bodies and the General Public

11. The council's Local Development Framework (LDF) consultation database includes some 1,100 people and organisations. These were all notified of the consultation process, either by letter or by email as appropriate. The letter included details of how organisations and individuals could respond to the SPD and who to contact for further information. Statutory consultees were also supplied with a copy of the draft SPD and its Sustainability Appraisal (SA). Leaflets explaining the SPD were also sent to non-statutory consultees.

12. A total of 49 individuals or organisations submitted responses to the consultation.

13. Whilst the majority of those who responded supported the SPD, there were a large number of individual points of objection. This was because many of those who objected wrote in making numerous points and each of these points was recorded as a separate objection. Also, those respondents who wrote in general support but suggested amendments or made other comments had these recorded as objections.

14. A breakdown of the responses is set out below.

Consultation title	Objections	Supporting statements	Comments	Total
DRAFT Development on Garden Land and Infill Sites in Cheltenham	183	29	23	235

15. Local residents were mainly supportive of the SPD and the majority of supporting statements came from this source. The SPD was viewed as a useful tool which would provide greater detail on existing core planning policies and support planning officers in determining the garden infill applications. The document was seen as supporting the improvement of the townscape and the environment by shaping the developments on garden land and infill sites in a positive way. It would improve the overall quality and design of schemes. It would also support the present planning policies to control inappropriate back garden development. The SPD was welcomed because the Council needed very clear and robust guidelines in place in order to ensure that appropriate standards were achieved and that due consideration was given to the character of the neighbourhood and the impact that any development would have on the existing residents and amenities.

16. The Environment Agency supported the SPD's approach in relation to water run-off for garden and infill land. English Heritage recognised the SPD as a most valuable tool in ensuring a sustainable framework for the future preservation and enhancement of Cheltenham's unique historic environment.

17. Agents and architects submitted the majority of the objections. Many of these questioned both whether there was a need for the SPD and its relevance in the light of the emerging LDF regime and the existence of an adequate policy framework. There was concern from some that the SPD was not legally founded. There were objections to the allocation of resources and funds to the preparation of the SPD. Some viewed the

SPD as placing restrictions on the development potential of brown field land within the urban area. Some objectors said that the SPD was overly prescriptive.

18. However, an objector who was not an agent or architect felt that the SPD was slanted in favour of developers making effective applications on garden land. It should be made clear that the document was also intended to protect against inappropriate garden loss.

19. Natural England perceived that a significant shortcoming of the SPD was an omission of biodiversity and felt there was an inconsistency with the Sustainability Appraisal. It also said that the SPD did not take into account any elements of building materials or design (other than with regard to continuity with the existing built form). It advised that the overall sustainability of the SPD could be significantly improved by the inclusion of a requirement or recommendation to include green roofs and SUDS in the design of developments on garden land and infill. Natural England wanted more emphasis on sustainability.

20. The Environment Agency requested that the SPD should specify that a Flood Risk Assessment should be undertaken in particular circumstances.

21. Several objectors said reference should be made in the section on regional policy to the policies in the Regional Spatial Strategy which identify levels of housing provision for the Cheltenham area. Local Plan policies CP1 Sustainable Development and HS2 Housing Density should also be listed in the main body of the text and not just in the appendix.

22. Several objectors said that the historic maps in the document as well as the section on topography should be removed as they were largely irrelevant.

23. English Heritage made several suggestions. These included a request to include Planning Policy Guidance 15 and Planning Policy Guidance 16 within the National Policy section so that a holistic approach was taken towards all national policy, as well as new Planning Policy Statement publications such as PPS4 on Economic Prosperity and the new Historic Environment PPS which could be available by the time the document was finally completed. English Heritage also commented that the section on Conservation Areas was very helpful but further work needed to be undertaken to ensure that the special characteristics so important to the distinctiveness of the Cheltenham Conservation Area were fully considered and preserved and enhanced where appropriate through the policies within the SPD.

Internal discussions

24. Conservation officers requested that the sections on character and policy and Appendix 3 were enhanced with further information on the historic development of Cheltenham and the historic environment.

Main Changes Made to the Draft SPD in Response to the Consultation

25. The Council has made various changes to the SPD in response to the outcomes of the consultation. A summary of all the consultation responses to the SPD, the

Council's comments on each, and all proposed modifications can be found at the back of this statement.

26. The main changes are described below.

27. The introduction provides greater clarity on why the document has been produced and more emphasis on the need for good quality schemes that respond to local character. The Council recognises that development on garden land and infill sites should be of the highest design quality. Schemes should be developed through a considered approach, working with local residents and the Council to ensure that such development is in keeping with the character of the local area. The primary aim should be to raise standards and promote high quality places.

28. The SPD's role in resisting inappropriate development has been made clearer with a new bullet point in section 1.5. This says that the SPD is intended to resist applications which are inappropriate by virtue of their design and/or location.

29. Chapter 2 of the SPD now includes reference under national policy to sustainable development being the core principle underpinning planning. Chapter 2 now describes the key challenge in terms of garden land as about making the most efficient use of land, whilst ensuring high quality design and developments which protect and enhance the existing natural and historic environment, and landscape and townscape character. This theme is emphasised through both PPS1 and PPS3 which are already referenced in the chapter.

30. It includes a reference to promoting sustainable development under local policy, and reference to existing supplementary planning guidance on this issue. Chapter 4 includes reference to the need to deliver sustainable developments, and notes that the factors listed as questions sit within this wider context. In the section on age / architectural style, there is a reference to the need for new development to promote sustainable development through building design and technology, and through the use of sustainable materials. There is also now a reference to the existing Council supplementary planning document on sustainable buildings. The SPD now places greater emphasis on the Council's existing supplementary planning guidance on sustainable urban drainage systems. Biodiversity was already included but is now further emphasised in Appendix 1.

31. Chapter 2 now refers to the need to consult other relevant Planning Policy Statements, with a list included in an appendix.

32. Chapter 2 has also been amended to refer to relevant Regional Spatial Strategy policy which identifies levels of housing provision for the Cheltenham area.

33. Again, in Chapter 2, the text has been amended to include Local Plan Policies CP1 Sustainable Development and HS2 Housing Density within the list in paragraph 2.12 and in box 3 to fully reflect the challenge of development on garden land and infill sites. These were previously listed in an appendix. The SPD already provides greater detail on the contents of these policies in demonstrating how intensification through development on garden land and infill sites should be approached.

34. The historic maps in Chapter 3 have been removed and the text amended accordingly. The section on topography in Appendix 1 has also been removed. The key principles on topography have been incorporated into the section on townscape and environmental significance, which is also in Appendix 1.

35. There is further information in Chapter 2, Chapter 3 and Appendix 3 on the historic development of Cheltenham and the historic environment.

36. Chapter 3 page 17 now makes reference to the special protection provided within Conservation Areas, the need to refer to Conservation Area Appraisals, and to preserve and enhance. It also refers to the setting of listed buildings which will be taken into account in the consideration of applications for development on garden land and infill sites. Public open spaces around the town provide part of the setting for a number of listed buildings. It refers to the 'index of buildings of local importance' and the Council's information relating to archaeology, Scheduled Ancient Monuments and Registered Parks and Gardens, all of which can influence the character of a local area. These should be taken into account when undertaking character analysis.

37. Chapter 4 puts further emphasis on the need for a robust design process, demonstrated by the applicant through their Design and Access Statement. An analysis of the character of an area is required as a starting point. If this analysis is properly reflected in the design of the proposal, and justified in the Design and Access Statement, better quality proposals are likely to result. It now points out that the information in Appendix 1 is not intended to be prescriptive; emphasis will be placed on the importance of appropriate schemes emerging from a robust design process.

38. The section in Appendix 1 on Layout and Development Patterns now stresses that the series of layout plans are intended to illustrate certain points. Simply replicating these layouts will not guarantee planning approval, rather a considered response to the individual character of each street and block is needed, supported by a Design and Access Statement (see chapter 4). Two of the layouts are to be replaced by others to show more variety in terms of the size and form of new buildings.

39. In Appendix 1, the SPD now specifies that Flood Risk Assessments should be undertaken in certain, specific circumstances.

Council's Comments On Other Issues

40. The legal status of the SPD has emerged for some objectors as an important issue. The Council believes that the SPD is legally founded. Its relationship with the saved local plan policies is very clear- it provides greater detail on policies CP1, CP3, CP4, CP7, HS2 and GE2. The character based approach and the wording of the document has been specifically drafted to elaborate on these policies, both in general terms, and in relation to specific points.

41. Some objectors have questioned the need for an SPD, largely because there is already existing policy in place. The Council's response is that the existence of a local plan policy base and national policy framework by no means negates the need for an SPD. Quite the contrary, this is precisely the context within which SPDs are intended to be prepared. The purpose of SPD is in fact to provide greater detail on existing planning policies, and how they will be implemented (Planning Policy Statement 12). It is perfectly

legitimate for the SPD to bring together relevant issues relating to development on garden land and infill development, and to place greater emphasis on requirements that are already in place, but which are not always adhered to. In this way the document allows an explicit and robust decision making process and the requirements placed on applicants, to be clearly understood by all stakeholders.

42. The purpose of the document is to improve the quality of schemes permitted on garden land and infill sites, to resist inappropriate development, and to ensure that the basis for decision making is set out clearly for all stakeholders to see (which is at present not the case).

Consultation on the Sustainability Appraisal

43. The Sustainability Appraisal had two main stages of consultation. The first stage was at scoping where a background report setting the context for the appraisal was made available to consultees. Only the Environment Agency submitted a response. Appendix 1 of the final SA report (June 2009) shows how their comments were taken into account in moving forward with the SA.

44. The SA Report of the draft SPD was made available for public consultation. Responses were received by the three statutory consultees; Natural England, English Heritage and the Environment Agency. The SA response to these comments is shown in Appendix 4 of the final SA report (June 2009) which can be found on the Council's website at www.cheltenham.gov.uk

Conclusion

45. Consultation on the Draft Development on Garden Land and Infill Sites SPD resulted in extensive participation and responses. The Council has responded fully by making the appropriate changes to the document and considering other issues raised. The Council has also made changes to the SPD in response to the Sustainability Appraisal. Changes have been made to the Sustainability Appraisal as a result of consultation.

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
1	Whole document	1832 / 154 / 44 /	Supporting statement: Warmly welcomes the production of this SPD, which addresses an issue salient in the residents association's part of south Cheltenham.		Comments are acknowledged.	
2	Whole document	1833 / 154 / 44 /	Supporting statement: The Association endorses the principles set out in the document, and particularly welcomes the focus on sustaining the distinctive character of each area or street.		Comments are acknowledged.	
3	Whole document	1835 / 154 / 44 /	General comment: The Residents' Association particularly welcomes the suggestion that potential developers should consult Borough Council officials and neighbours before submitting proposals. It gives an example of the damaging effect of failure by a developer to follow such advice. In the final version of the SPD, advice should be emphasised and extended to include consultation with the Residents' Association (where such an Association exists).	Extend requirement for developers to consult with planning officers and neighbours to include residents associations	Agree that residents associations' could usefully be consulted as representatives of neighbours; such associations provide a good opportunity for a more organised / strategic discussion locally than by engaging with neighbours only on an individual basis	Page 22 box summarising what is expected of applicants: include reference to consultation with residents associations - CBC can provide contacts for known associations.
4	Whole document	1836 / 154 / 44 /	General comment: The Residents' Association	In some circumstances, development on garden	Comments are acknowledged and individual	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>particularly welcomes the distinction between backland development, frontage development, or both (pages 5, 20, 35). This distinction has particular resonance in the western part of the association's area, around Painswick Road, Park Place and the streets which join them, where the villas face the main roads and their back gardens run down to lanes, mews or back roads. In these circumstances, development on garden land may be visible from the back road, indeed may become effectively frontage development on that back road, changing the character of that road and causing knock-on problems which are not adequately addressed because they are outside the remit of the developer. The association gives various examples of this. Where development of this sort meets the criteria set out in the SPD, the Council should use planning conditions and section 106 agreements to ensure that the basic highway infrastructure can meet the</p>	<p>land may be visible from the back road, indeed may become effectively frontage development on that back road, changing the character of that road and causing knock-on problems which are not adequately addressed because they are outside the remit of the developer. Where development of this sort meets the criteria set out in the SPD, the Council should use planning conditions and section 106 agreements to ensure that the basic highway infrastructure can meet the new demands placed upon it.</p>	<p>applications will be judged on their own merits. These issues are covered by Questions AP1 to AP4.</p>	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			new demands placed upon it.			
5	Whole document	1984 / 161 / 54 /	<p>Objection: The SPD should not be adopted and applications should be dealt with through the standard planning process. The respondent describes the architectural history of Cheltenham. The respondent recommends that back garden development should be entirely ruled out since its "regulation" will only encourage demand to the general detriment of the immediate environment and to the character of the town. There are rare exceptions where with overlarge gardens and with adequate access further development can be allowed without affecting the quality of the environment. The need for accommodation in the town needs to be tackled on quite a different level than is proposed by "brown field" sites and back garden development, the subject of this SPD. Cannot believe the SPD is the solution [to meet the urgent demand for housing in the borough] , or even part of the solution being offered, which</p>	Do not have an SPD	<p>National, regional and local policy does not rule out development on Garden Land. On the contrary, policies set out the principle of 'making effective use of land by re-using land that has been previously developed' (Planning Policy statement 1). Previously developed land (often termed 'brownfield land') includes garden land (Planning Policy Statement 3). The SPD is not being presented as the solution to housing provision in Cheltenham – this is the role of the emerging LDF Core Strategy. The role of the SPD is not to set policy, rather it provides greater detail on existing policies, explaining how these will be implemented (Planning Policy Statement 12). The SPD is not intended to rule out development on garden land, but to improve the quality of applications generally, and resist only development which is inappropriate by virtue of its design and/or location.</p>	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			if implemented as a means of meeting housing targets will seriously and permanently impair the quality of living in Cheltenham. The accommodation problem will not be resolved within the Borough's present boundaries. The Borough's time would be better spent dealing with this long term problem than promoting stop gap measures which can only destroy the quality of the environment treasured by all.			
6	Whole document	1808 / 202 / /	General comment: Infill sites could make good green areas in every close like Copt Elm Close.	None	Comments acknowledged.	None
7	Whole document	1801 / 210 / /	Supporting statement: The attempt to protect garden land and infill sites in Cheltenham is good by the proposed addition of these principles to the Local Plan. However, there is little point in producing it unless the planning officers abide by its tenets and, similarly, the Appeals Inspector respects its guidance.		Once adopted, the SPD document will be part of the Council's LDF and will be a material planning consideration in the determination of planning applications. It will be used by the Council in making decisions and in explaining and justifying its decisions.	None.
8	Whole document	2010 / 214 / 61 /	Supporting statement: The SPD is recognised as a		Comments acknowledged.	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>most valuable tool in ensuring a sustainable framework for the future preservation and enhancement of Cheltenham's unique historic environment. English Heritage strongly advises that the conservation, urban design and archaeological staff of the District and County Councils are closely involved throughout the preparation of the SPD and its associated appraisal process. Generally, EH acknowledges that this SPD is welcomed as a means of improving the quality of this historic town's environment by imposing rigorous guidelines on any future development proposals and by managing that change in an appropriate way.</p>			
9	Whole document	1752 / 220 / /	<p>Objection: While generally supporting the document and its aims, respondent thinks that for rear garden development, there will be few cases in Cheltenham that there will not be a loss of amenity for some. While the document does appear to be balanced, it offers too</p>	<p>There should be a presumption against rear garden development except in exceptional circumstances</p>	<p>A presumption against rear garden development does not exist within national, regional or local policy, rather the emphasis is on making the most efficient use of land, and improving design quality. The SPD includes criteria on amenity that will ensure that this issue is fully taken</p>	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			much opportunity for developers to exploit the situation unless there is firm policy on issues like loss of amenity. There should be a presumption of no back garden development with only exceptional cases being allowed.		account of.	
10	Whole document	1855 / 341 / 160 /	Objection: Does not wish the Council to put restrictions on development on garden land for a number of reasons including: As so many women now work, many families cannot manage large gardens and so are keen to use part of their gardens for redevelopment. Also, many elderly people who can no longer manage their large gardens are keen to sell a portion of their garden for development so that they can raise some money, especially now that their investments in banks and building societies are so unrewarding. the more development allowed on garden land, the less need there is to build upon open green fields; and garden land is one of the few sources of highly desirable individual plots which are so	The Council should not put restrictions on development on garden land.	The SPD is not intended to place restrictions on garden land development. It is intended to improve the quality of applications generally, and resist only development which is inappropriate by virtue of its design and/or location.	None.

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			difficult to find. Appreciates that what is built on that land must be of an appropriate size and design to be in keeping with its surrounds.			
11	Whole document	1838 / 345 / 71 /	Objection: Whilst the protection and enhancement of biodiversity is covered, some reference to the value of gardens and infill sites for legally protected species (e.g. reptiles, bats & badgers) and scarce invertebrates is needed.	Some reference to the value of gardens and infill sites for legally protected species (e.g. reptiles, bats & badgers) and scarce invertebrates is needed.	Comments are acknowledged	Some reference to the value of gardens and infill sites for legally protected species (e.g. reptiles, bats and badgers and scarce invertebrates) will be made.
12	Whole document	1795 / 371 / 69 /	Supporting statement: Welcomes that this SPD supports the improvement of the townscape and the environment by shaping the developments on garden land and infill sites in a positive way.		Comments acknowledged.	None.
13	Whole document	1831 / 505 / 76 /	Objection: The respondent has been instructed by a number of clients to say that should the SPD remain in the form as currently drafted then they consider this matter to be one suitable for judicial scrutiny. He hopes that if the production of the SPD is to be pursued, all of the issues raised during the consultation will be given serious consideration.	All of the issues raised during the consultation should be given serious consideration.	Comments are acknowledged. The Council does not believe there is any basis for judicial scrutiny. The SPD is legally founded. Its relationship with the saved local plan policies is very clear – it provides further detail on policies CP3, CP4, CP7 and GE2. The character based approach and the wording of the document have been specifically drafted	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
					to elaborate on these policies, both in general terms, and in relation to specific points. Nevertheless all of the issues raised in the consultation will be given serious consideration.	
14	Whole document	1842 / 619 / /	General comment: Support the document but there should be consideration of the impact of building works, such as pile-driving, on neighbours before planning consent is given.	Reference to the impact of building works on neighbours	This issue is not addressed through the planning process.	None
15	Whole document	1804 / 831 / /	Supporting statement: Respondent emphasises the importance of assessing the effect a proposed development could have on the character of the immediate surrounding area and the changed outlook for neighbouring properties. The respondent would support the obvious issues which should be assessed, including height and density of build, rain water drainage, access for emergencies and refuse collection, car parking space, and additional road traffic capacity.		Comments are acknowledged. The specific issues identified in relation to access are covered within the section on access and parking.	None.
16	Whole document	1805 / 831 / /	Objection: Garden land should not be categorised as Brown Field sites. This	Do not include Garden Land within the definition of Brownfield land.	This is not within the remit of the Council. Garden Land falls within the Government's	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			should be changed.		definition of Brownfield Land as set out within Planning Policy Statement (PPS) 3.	
17	Whole document	1788 / 1050 / 55 /	General comment: No comment	No changes requested		No change
18	Whole document	1997 / 1320 / 141 /	<p>Objection: A significant shortcoming of the SPD is its omission of biodiversity and inconsistency with the SA. Several elements of the SPD fail to adequately protect biodiversity. The most significant and useful description of the value of garden land to biodiversity is only in the introduction of the SPD and there is no mention at all in section 4 or Appendix 1. which make up both the main body of the text and the main guidance for applicants. As the need to be mindful of biodiversity is a requirement of all public bodies under the NERC Act 2006, and PPS7 states that all policies should aim to conserve and enhance biodiversity, the respondent considers the SPD incomplete without specific mention in the definition of character of biodiversity and the need to ensure no net loss. If that is not achievable on site, then off site</p>	<p>There should be more emphasis on biodiversity, with specific mention in Section 4 and Appendix 1, and within box 5 on defining character. Reference should include the need to ensure that there is no net loss of biodiversity either on-site or through off-site mitigation.</p>	<p>The Council is fully supportive of the respondent's objective to retain existing levels of biodiversity. There is already reference to this in Appendix 1, page 29, but this can be emphasised more. However the Council does not agree that there needs to be a separate reference to biodiversity in the definition of character – This is quite evidently contained within the bullet 'landscape and natural features'; biodiversity being a measure of the quality of landscape and natural features and their ability to support a diverse range of plant and animal species and, and the bullet being a necessary summary. We appreciate the need to be more specific in the requirements in Appendix 1, but there is no inconsistency with the SA here.</p>	<p>Amend the heading on page 28 to read 'Townscape and environmental significance' Amend Question C2, to read: Would the proposal have a negative impact on landscape settings, biodiversity or particular features in front or back gardens which make an important contribution to character and amenity, including the spacious character? If so can these be mitigated satisfactorily? In Appendix 1, page 29, move the paragraph that reads: 'A back garden will be considered to have significant environmental value if.....' to form part of the explanation for question C2, rather than C1, and make reference to the need for mitigation.</p>

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			mitigation must be sought.			
19	Whole document	1998 / 1320 / 141 /	<p>Objection: The SPD does not take into account any elements of building materials or design (other than with regard to continuity with the existing built form). Respondent advises that the overall sustainability of the SPD could be significantly improved by the inclusion of a requirement or recommendation to include green roofs and SUDS in the design of developments on garden land and infill, mitigating as they do, against all of the negative impacts listed above. It does not seem inappropriate to include a recommendation on design in this SPD if it relates specifically to developments on garden land and infill, particularly when there is already extensive guidance on continuity of built form- a planning design issue which, while traditionally important, and necessary in areas of significant character value, really should, under recent national policy guidance (PPS1, 9 and 25), be of a consideration of lesser</p>	<p>Include a requirement / recommendation for developments to include green roofs and SUDS in the design of developments on Garden Land and Infill sites.</p>	<p>The SPD has been prepared within a national and local policy context where sustainable development (social, economic and environmental) is now identified as 'the core principle underpinning planning' (PPS1). Within this wider context the SPD has a specific purpose to improve the quality of development on Garden land, and resist inappropriate development. The Council is fully supportive of the need to promote sustainability and Sustainable drainage in the design and development of all new buildings within the borough. For this reason there already exist the following:• SPG on Sustainable Buildings (September 2002)• SPG on Sustainable developments (April 2003)• SPG on SUDS (April 2003)The council believes it would be useful to re-emphasize the fact that sustainable development is the core principle underpinning planning in section 2 on policy context. This section could also</p>	<p>Chapter 2. Include reference under national policy to sustainable development being the core principle underpinning planning. Include reference to promoting sustainable development under local policy, and reference existing SPG on this matter. Chapter 4. Include reference to the need to deliver sustainable developments, and note that the factors listed as questions sit within this context. In the section on age / architectural style, include a reference to the need for new development to promote sustainable development through building design and technology, and through the use of sustainable materials. Include also a reference to existing SPD on sustainable buildings. Give more emphasis to existing SPG on SUDS.</p>

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			significance than the overall sustainability of a given development.		include reference to SPG on sustainable developments and sustainable buildings. Reference can also be made to the importance of sustainability at the beginning of chapter 4 under 'what matters'. As the respondent notes, Green roofs are neither a national nor a local requirement, and an SPD (as noted in PPS 12) cannot set policy. Its role is to give further information and expand on existing policy. The Council agrees that it is important to promote the use of all forms of sustainable materials, not only green roofs. The most appropriate place to address this issue would be in the section on age / architectural style, which already includes materials. Proposals for development on garden land and infill sites which propose green roofs will be considered within the context of the character based approach of the SPD, saved local plan policies, and National Planning Policy Statements, but it would be inappropriate here to pre-empt the assessment of	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
					every application. Sustainable urban drainage (SUDS) is already referred to in chapter 4 and appendix 1 under questions W1. This makes reference to the Council's existing SPG on SUDS. This could be given more emphasis.	
20	Whole document	1999 / 1320 / 141 /	Objection: Garden land is a major contributor to the green infrastructure resource of Cheltenham yet there is no mention of it in the SPD. The respondent recommends that there should be a section included in the SPD explaining the principle of green infrastructure, of the importance of garden land to the GI of the urban environment, and of the possible implications for applications that have not taken the local GI context of their development into account. Because there is not the necessary policy in place yet at either national or local levels that require either GI planning or green roofs, the respondent can only recommend that Cheltenham incorporates these principles into the SPD.	Include a section on Green Infrastructure, explaining the importance of Garden Land to this resource.	The Council is aware of the importance of Green Infrastructure. The sections in Appendix 1 are structured around elements of character and amenity in response to the policies which the SPD expands upon. It would be inappropriate to include a separate section on Green Infrastructure here when it clearly falls within the heading of Townscape and Landscape (or environmental) significance. The text under C1 already refers to the cumulative contribution of gardens to biodiversity, but this can be strengthened to include a reference to wildlife corridors, and the contribution of garden land to Green Infrastructure.	Include reference to Green Infrastructure and wildlife corridors under C2, and move the text above that begins 'a back garden will be considered.....' to this section
21	Whole document	2000 / 1320 /	Objection: It is the	Make changes as	Comments are	Changes as suggested

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
		141 /	respondent's duty to object to any documents that it believes do not comply with an authority's legal requirements. It does not consider this SPD to be in accordance with PPS9 and therefore breaches Cheltenham's requirements under the NERC Act 2006.	requested in record 18, 19, 20	acknowledged. Changes are suggested above which give more detail on certain elements of environmental sustainability. However the Council notes that PPS 1 states that sustainability is the 'core principle of planning', and this includes social and economic sustainability. The SPD takes forward a series of policies that address all these aspects, with a focus on character and amenity. The SPD cannot set new policy, it can only expand upon existing policies.	in record 18, 19, 20.
22	Whole document	1802 / 1398 / 157 /	Supporting statement: Welcome this document. It will satisfy an urgent need, considering the large number of garden infill applications in Cheltenham, to clarify existing core planning policies. These current policies are aimed more at 'normal' developments rather than back garden infill ones. It will support planning officers in determining the 'Garden infill' applications by providing clearer guidelines.		Comments are acknowledged	
23	Whole document	1919 / 1399 / /	Objection: There are a number of typographical errors that need to be	Amend typographical errors and write acronyms in full in the	Typographical errors should be corrected and acronyms written in full in the first	Amend typographical errors and write acronyms in full in the

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			amended. Acronyms such as SPD should be written in full in the first instance.	first instance.	instance	first instance.
24	Whole document	1920 / 1399 / /	Supporting statement: Thoroughly supports the idea of the document but it needs some tweaks to protect the Borough against wording likely to give carte blanche to Q.C.s at Inquiries.		Changes to wording will be considered.	See responses to specific suggestions.
25	Whole document	1921 / 1399 / /	Objection: Would be anxious about the use of the word 'normally': it will be automatic for every developer to claim an abnormal special circumstance for their design.	Do not use 'normally.'	The word normally is used to allow for the fact that there will always be exceptions. However exceptions are just that and would need to be very well justified through a thorough Design and Access Statement.	None
26	Whole document	1922 / 1399 / /	General comment: There was not space for considering whether it should be valid to allow the demolition of perfectly good accommodation in order to squeeze in an access and even more units on to the site. Respondent thinks that this is wrong, truly deserves the term 'garden grab' and should be resisted by the Council.	Consider whether it should be valid to allow the demolition of perfectly good accommodation in order to squeeze in an access and even more units on to the site.	Comments are acknowledged. This is something that will need to be considered within the context of a thorough character appraisal and design and access statement for each site. The document makes provision for this. There is no ability to control demolition outside conservation areas.	None
27	Whole document	1881 / 1400 / /	Objection: It remains to be seen how long the SPD remains relevant in light of the proposed change to a	Not have an SPD	The document does not have a 'limited' shelf life. Whilst, saved local plan policies currently provide the policy	None.

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			LDF regime. Given that the policies covering infill development already exist (and have been upheld at appeals) in the local, structure and regional plans as well as other SPDs, a good deal of money has been spent on a process and document that could have a limited shelf life. Questions the allocation of limited resources and funds to this exercise. Adequate local planning policies are in place (as evidenced by successful appeals) and the SPD does not change but merely clarifies policy.		context, in the future, this will be provided by appropriate policies within the Joint Core Strategy or other Development Plan Document (DPD). We would note that an SPD is not supposed to change policy, but to provide greater detail on existing policies. We would also note that the SPD will provide clarity, so that all stakeholders will be clear on how decisions are being made.	
28	Whole document	1882 / 1400 / /	Objection: The extent of the 'problem' in terms of actual numbers of schemes would appear, according to figures revealed, to be low. The numbers and percentages (2% so far 2008/09) revealed in the consultation to be minimal and wonder how such numbers could be called "significant". This is especially true given the background of an undersupply compared with RSS and really significant homeless	Do not have an SPD	Development on Garden Land and infill sites in Cheltenham is considered to be an issue worthy of SPD for several reasons. First, whilst numbers of applications on Garden Land vary, in 2007/8 this amounted to over 10% of permitted dwellings. Second, the SPD also applies to other infill development within the town. Third, and perhaps most importantly, the issue is clearly a sensitive one in Cheltenham, and recent controversy and discussion	None

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			<p>figures which have increased threefold from 1998/99 to 2004/05. The allocation of resources and money on guidance, which could further reduce the numbers of dwellings being built on in the town centre (given the relatively low numbers discussed) would appear to be disproportionate. One would have to seriously question again whether this is best use of council's funds particularly if you were on a waiting list or homeless. Does the problem actually exist at all? In policy terms it would appear that the number of dwellings highlighted as being required in the RSS is not being achieved. Nott enough, rather than too many buildings are being built in the urban area. From a sustainability point of view, this is obviously worrying and clearly this puts pressure on new build in Green Belt areas, which can hardly be the aim of the SPD.</p>		<p>have meant that there is a real desire on the part of the Council to improve the quality of what comes forward, not to resist appropriate development, but to make sure that what is built does not harm the character of streets and neighbourhoods, and to provide guidance so that new development can actually enhance that character. Finally, as with any issue that is sensitive or controversial, it makes sense to set out clearly for all concerned, how decisions will be made, and what criteria will be used. It is certainly not the intention that the SPD will prevent development on garden land and infill sites, but that it will improve it.</p>	
29	Whole document	1918 / 1400 / /	Objection: The lack of focus in identifying an "issue" to be	Do not have SPD.	The SPD does not lack focus. The issue it	None.

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			<p>resolved by this supplementary guidance has led to the creation of a rambling document that lacks clarity. It should not (contrary to what some supporters of the document may think) create or alter policy, merely help with the implementation of existing policy. The lack of an evidence based approach and reasoned examples would appear to show that the issue is more a (political) perception than one of actual reality. One of the results of this will inevitably be the release of some green belt for housing which to be mind is just one of a number of unintended consequences. An additional SPD is quite simply more bureaucracy which is unnecessary, and adds little other than cost to the taxpayer. There is a shortage of homes and a threefold increase in homelessness locally and this document could make the situation worse.</p>		<p>addresses is very clear: Development on Garden land and infill sites is a sensitive subject in Cheltenham, and the purpose of the document is to improve the quality of schemes permitted, to resist inappropriate development, and to ensure that the basis for decision making is set out clearly for all stakeholders to see (which is at present not the case). The Document does not create new policy but expands on existing policies.</p>	
30	Whole document	1792 / 1401 / /	<p>Supporting statement: Totally supports the proposal to adopt a SPD for Cheltenham. Whatever</p>		Comments acknowledged.	No changes.

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>planning policies CBC had in place in recent years they have been less than satisfactory, and in many cases have failed to safeguard several areas of the town from inappropriate developments. In consequence, this has had a detrimental impact on home owners living in those neighbourhoods. Recent applications in the Cleavelands Drive area highlights need for SPD.</p>			
31	Whole document	1753 / 1402 / /	<p>Supporting statement: Fully support the adoption of this SPD. The council needs to have very clear and robust guidelines in place concerning planning applications in order to ensure that appropriate standards are achieved, and that due consideration is given to the character of the neighbourhood and the impact that any development would have on the existing residents and amenities. Also very important to maintain the level of biodiversity provided within the townscape by those mature gardens which are often the main target for</p>		Comments are acknowledged	

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			development. This SPD will help to improve the quality of planning applications and enable the council to defend its decisions at appeal if necessary.			
32	Whole document	1783 / 1403 / /	Supporting statement: Fully supports the introduction of the SPD. It is highly desirable that applications for developments in garden land and infill sites in Cheltenham take into account the amenities of affected parties and have consideration for the character and location of the targeted area. These and other important considerations outlined in the emerging SPD are of importance in the development of a fair and balanced system for judging the suitability of future development proposals and one not driven too strongly by the profit motive.		Comments acknowledged.	
33	Whole document	1785 / 1431 / /	Supporting statement: Believes that the right structure needs to be in place to protect those green areas in Cheltenham and to ensure that any building applications are completely in sympathy with existing		Comments are acknowledged	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>buildings. Applications recently were rejected on Cleevelands Drive which was good since they would have been totally unsuitable for this remaining tree-lined road. Please ensure that developers are not allowed to ruin nice areas.</p>			
34	Whole document	2025 / 1432 / /	<p>Supporting statement: The SPD is an excellent way forward to give those affected by such developments an opportunity to make better informed responses to proposals. Is sure that it has the wholehearted support of both affected residents and those interested in preserving the character of Cheltenham. Such a move forward would support the Council's objectives to operate more transparently and provide a forum for more objective challenges to planning applications that are poorly thought through and of overall detriment to residential areas and the character of areas like the Cleevelands and Cheltenham generally. Such applications, if successful, significantly change the character and</p>		Comments acknowledged.	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>viability of residential areas adding significant traffic and parking congestion as well as having a detrimental effect on the environment and the natural habitat for wildlife as established trees and shrubs are cleared.</p> <p>The SPD should also facilitate the need to consider proposals relating to the same area in their entirety as an overall development rather than in isolation.</p>			
35	Whole document	1787 / 1433 / 156 /	<p>Supporting statement: Wish to support the SPD. Cleavelands Drive has been the subject of inappropriate planning decisions where the surroundings have not been taken into account. It is hoped that the proposed SPD will enable planners to look more widely at the local environment before any plans are agreed.</p>		Comments acknowledged.	No change.
36	Whole document	1789 / 1434 / 58 /	<p>Supporting statement: Support moves to strengthen the rules curtailing excessive building in back gardens. It also condemns the sale of school playing fields for similar purposes. Its views apply equally to well used</p>		Comments are acknowledged	

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			public spaces.			
37	Whole document	1790 / 1435 / /	Supporting statement: The respondents express their wholehearted support for the contents of the document and trust it will be implemented by the council as soon as possible. Regarding The Chestnuts, in Cleavelands Drive (Ref. No. 07 / 00592 /), where planning permission has already been granted, the development proposed is a prime example of an application totally out of character with the surroundings as it is also directly opposite a Grade II listed Regency building. It's a great pity there wasn't an `SPD` or similar document in place when this application was submitted.		Comments acknowledged.	No change
38	Whole document	1791 / 1436 / /	Supporting statement: Would like to support the intention of this document which the respondent believes will be to the benefit and protection of residents when planning applications are being submitted.		Comments are acknowledged	No changes.
39	Whole document	1793 / 1437 / /	General comment: The general principle should be that there is no	No changes requested.	These issues are addressed within the SPD within Appendix 1 in the sections	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>development/in-filling of garden land where</p> <p>a) the size of the proposed building or plot is considerably smaller than surrounding gardens/properties and is a mismatch to the neighbourhood and/or</p> <p>b) there would considerable loss of green space providing amenity to urban life such as garden birds.</p> <p>Mitigation for b would be if a developer proposed to get rid of existing hardened surfaces such as forecourts/driveways and replace by green space so there would be a net gain in ground with soil covered in vegetation. (Good for drainage as well.)</p>		<p>on Townscape and landscape significance (pages 28 and 29, Layout (pages 32 – 35), and Amenity (page 45).</p>	
40	Whole document	1794 / 1438 / /	<p>General comment: Respondent's road has already been blighted by 'garden grabbing' against the wishes of the majority of its residents. It has caused people to sell their houses and leave because of the damage it causes. Respondent trusts the Council will put the character</p>	No changes requested.	Comments acknowledged	None.

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			and the interests of the people of Cheltenham as a whole before the desires of property developers and pass as robust a SPD as possible.			
41	Whole document	1806 / 1439 / /	Supporting statement: Strongly supports the introduction of the SPD which will strengthen the present planning policies to control inappropriate back garden development.		Comments acknowledged	
42	Whole document	1807 / 1440 / /	Supporting statement: Expresses support for the emerging SPD document. Appalled that housing is being built on garden land which will increase the number of cars in an already congested area. In-fill developments around the country don't give provision for off-street car parking and the concreting of more land must inevitably increase the liability for flooding.		Comments acknowledged.	
43	Whole document	1810 / 1441 / 158 /	Objection: It is a fact that there is a national shortage of housing and this will only increase with the increasing population. Cheltenham is a beautiful town and lies in a very attractive part	None	Further curtailing the development potential of previously developed land within the existing settlement boundaries is neither the purpose nor the subject of this SPD. As the SPD explains in the introduction,	None

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			<p>of the country, making it a very desirable place to live. Unfortunately, it is also surrounded by Green Belt Land and AONBs which means the boundaries cannot expand and this has led to the increases in land and housing costs. If the Local Authority seeks to further curtail the development potential of previously developed land within the existing settlement boundaries, they will merely increase the pressure to develop into these surrounding areas.</p>		<p>intensification of the urban area has its benefits. It can help to ensure that new development is concentrated within the urban area, rather than by adding to the town at its edge, most probably on greenfield land. The purpose of the SPD is to help ensure that what is developed on previously developed land that is garden land or an infill site is well-designed and in the right place. It is also about helping make poor quality applications a thing of the past.</p>	
44	Whole document	1812 / 1441 / 158 /	<p>Objection: The respondent's body reviews schemes with the officer, the developer and their design team prior to a submission being made. This provides an opportunity for comments to be made and design developments discussed before a scheme is finalised. In this way, each scheme can be evaluated on a site specific basis, something an SPD is unable to do. The Authority could have used the monies on preparing this SPD to employ a qualified Architect with the sole</p>	<p>That there should be no SPD.</p>	<p>The processes described are not mutually exclusive; the existence of the SPD will not change the process whereby the panel reviews schemes, rather it will support that process. The fact that the SPD will be an adopted document lends it a weight that would not be provided by advice from additional officers on a case by case basis. Those determining applications are already sufficiently qualified to use the current development policies. The SPD provides further explanation of how</p>	None

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Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>purpose of reviewing schemes. At present the only qualified architect within the Borough's staff is the Conservation Officer, the job title of whom would suggest has a certain and very valid perspective on architecture, and who performs an important role in ensuring that the many conservation areas of Cheltenham are developed in ways that do not harm the character or appearance of the town.</p> <p>Many of the sites where this form of garden and infill development is proposed are located outside of the Conservation Areas and as such it would seem inappropriate and unreasonable to expect the Conservation Officer to comment on these schemes. Alternatively, the current officers and planning committee could be educated to assist them in understanding what constitutes good and appropriate development and explaining to them how to use the policies and</p>		<p>those policies will be implemented. One of the purposes of the SPD, as stated in paragraph 1.5 is to provide a consistent and robust approach to the assessment of applications for development. This will make the decision making process, and the requirements place on applicants more explicit and clearer for all stakeholders.</p>	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>guidance already in place to prevent schemes that don't meet this criteria being approved at this stage or appeal. Appropriate and well designed development of gardens and infill sites should be allowed, the issue is ensuring that those charged with determining the applications are sufficiently qualified to use the tools at their disposal and have the expertise to determine whether what is proposed is appropriate and when it is not robustly refuse the application.</p>			
45	Whole document	1974 / 1441 / 162 /	<p>Objection: In reviewing the draft SPD what is most apparent is that much, if not all, of what it is seeking to achieve could be dealt with under the existing national, regional and local policies. There are also sufficient controls within the existing planning system at all levels to enable the local authority and its officers to ensure that only well considered and designed schemes are approved.</p>	No need for SPD	<p>The existence of a local plan policy base and national policy framework by no means negates the need for an SPD. Quite the contrary, this is precisely the context within which SPD are intended to be prepared. The purpose of SPD is in fact to provide further information on existing planning policies, and how they will be implemented (Planning Policy Statement 12)It is perfectly legitimate for the SPD to bring together relevant issues relating to</p>	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
					<p>development on garden land and infill development, and to place greater emphasis on requirements that are already in place, but which are not always adhered to. In this way the document allows an explicit and robust decision making process, and the requirements place on applicants, to be clearly understood by all stakeholders.</p>	
46	Whole document	1977 / 1441 / 162 /	<p>General comment: There is a serious issue with regards the Council's aversion to releasing either Greenbelt land or land in the AONB on the outskirts of Cheltenham. This problem is further exacerbated by the use of Local Planning Policy EM2 which protects sites currently and formerly in employment use, even if they have been redundant for several years. The net effect of this policy is that sites which in all reasonableness could be developed more intensively for residential accommodation instead have to include elements of commercial and retail use, which in essence will stand vacant.</p>	None	<p>The issues of the release of Green Belt land for development and policy EM2 are not addressed by this SPD. These are policy issues which will be addressed through the Joint Core Strategy DPD.</p>	None.

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47	Whole document	1978 / 1441 / 162 /	<p>General comment: Each scheme needs to be determined on its own merits; undoubtedly this will require more effort by Committee members, although it is fair to say if there is insufficient information to enable the scheme to be properly assessed their role is made virtually impossible. Alternatively it may encourage Officers to insist on a higher quality of application in the first instance, ensuring that there is adequate information to enable a thorough and informed decision to be made.</p> <p>The key to this issue is that the developments have to be appropriate to the site; for there to be an effective form of development control, those assessing the applications have to be sufficiently knowledgeable to determine whether the scheme represents an appropriate form of development.</p>	None	It is a long established principle that each scheme should be determined on its own merits. This by no means negates the need for a sound policy basis for decision making, and SPD which expand upon on how those policies will the implemented. Agree that developments have to be appropriate for their site – the SPD takes a character based approach and this is a central principle of the document	None
48	Whole document	1979 / 1441 / 162 /	<p>Objection: The true failing in dealing with this matter with Officers and Committee not</p>	Do not have SPD.	It is abundantly clear that the SPD is not a document which seeks to prevent	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>being strong enough to refuse applications where the scale/design of the proposed development is inappropriate, and where they do refuse them, not doing so robustly enough to prevent them being approved at Appeal. Furthermore, the fact that the schemes are then built out in many cases bearing little resemblance to the approved drawings, with poor detailing, substandard materials and a lack of appropriate landscaping, is a matter for enforcement not something that should be sought to be addressed by further additional bureaucracy simply seeking to prevent a justifiable form of development.</p>		<p>development on Garden Land. Quite the contrary. It is intended to improve the quality of applications generally, and resist only development which is inappropriate by virtue of its design and/or location. The document provides the robust basis for decision making that the respondent refers to, including at appeal where necessary.</p>	
49	Whole document	1981 / 1441 / 162 /	<p>General comment: Where schemes are well designed and of appropriate context, mass and scale there is no reason that they should not be an acceptable form of development, albeit adding rather small amounts of housing compared with the figures identified as being required by national Government</p>	No changes requested	<p>The Council agrees that well designed schemes in the right places should be an acceptable form of development. The SPD provides a robust and consistent basis for making this assessment in a way which is explicitly clear to all concerned.</p>	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			statistics.			
50	Whole document	1982 / 1441 / 162 /	<p>Objection: The production of the SPD is not the most appropriate way to expend the monies associated with it. Might have been better to hold a series of Design Workshops to educate Committee. Explaining to the committee how to use the policies and guidance already in place to enable them to prevent schemes that don't meet the required criteria being approved at this stage or appeal, would be more appropriate than providing them with a means of blanket refusal for certain forms of development.</p> <p>Alternatively the Authority could have used the money to employ an architect to join their staff, having the sole remit of reviewing schemes and commenting on their architectural merit or lack thereof.</p> <p>At present the only qualified architect within the Borough's staff is the Conservation Officer, the job title of whom would suggest, has a certain and very valid perspective on architecture, and who</p>	Do not have SPD	<p>The SPD does not propose a blanket ban on brownfield development. Quite the contrary, it seeks to improve the quality of applications generally, and resist only development which is inappropriate by virtue of its design and/or location. Those determining applications are already sufficiently qualified to use the current development policies. The SPD provides further explanation of how those policies will be implemented. One of the purposes of the SPD, as stated in paragraph 1.5 is to provide a consistent and robust approach to the assessment of applications for development. This will make the decision making process, and the requirements placed on applicants more explicit and clearer for all stakeholders. The fact that the SPD will be an adopted document lends it a weight that would not be provided by advice from additional officers on a case by case basis.</p>	None

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>performs an important role in ensuring that the many conservation areas of Cheltenham are developed in ways that do not harm the character or appearance of the town. Many of the sites where this form of Garden and infill development are proposed are located outside of the Conservation Areas, and as such it would seem inappropriate and unreasonable to expect the Conservation Officer to comment on these schemes; both in terms of the nature of the schemes being proposed and the significant increase this would lead to in the officers' workload.</p>			
51	Whole document	1983 / 1441 / 162 /	<p>Objection: Questions both the motivation and the need for this proposed document. It seems to achieve nothing more than providing Committee with the means of refusing applications on a generic basis rather than assessing the merits or not of each scheme which comes before them.</p>	Do not have SPD	<p>The Council does not understand how the respondent reaches this conclusion. The use of SPD which emphasises process and the importance of assessing and responding to character to justify design decisions through Design and Access Statements, rather than simply use pre-determined solutions would naturally lead one to draw the opposite</p>	<p>Make even more emphasis in Chapter 4 on the need for a robust design process, demonstrated by the applicant through their Design and Access Statement.</p>

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					conclusion. Whilst this is clear within the document, perhaps this needs to be emphasised even more. The council notes that, notwithstanding the above, there are examples within the document of layouts which are likely to be detrimental to the established character of an area. If an applicant carries out a thorough character analysis and can justify such an approach in a Design and Access Statement, then this will of course be considered on its merits. The SPD is rigorous in its desire to raise quality and promote a thorough, considered design approach.	
52	Whole document	1814 / 1442 / /	Supporting statement: Deplores the over exploitation of garden lands for the building of new houses in the Cheltenham area, and supports the recommendations made in the Supplementary Planning Document.		Comments acknowledged.	
53	Whole document	1839 / 1443 / /	Supporting statement: Agrees with tighter restrictions on development to maintain the character of Cheltenham and to protect		Comments acknowledged.	

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			those properties in the immediate vicinity of the proposed development in all aspects of quality of living which now includes the risk of flooding from increased run-off.			
54	Whole document	1841 / 1445 / /	General comment: The respondent is not in favour of a universal ban without consideration of other relevant factors. There should be good reasons for declining an application other than the simple fact that the development is deemed to be in a garden. The respondent gives various examples. All the normal planning considerations need to apply if the Council is not to be perceived discriminatory.	No changes requested.	The SPD is not intended to rule out development on garden land, but to improve the quality of applications generally, and resist only development which is inappropriate by virtue of its design and/or location.	None.
55	Whole document	1843 / 1446 / 159 /	Objection: Why are further policies required when there are existing national or local policies providing a clear and concise policy framework? If officers do not feel they have the expertise to assess the viability of a scheme in planning and design terms there should either be additional resources in-house or via external consultants. This would be a	That there should not be an SPD.	The role of the SPD is not to set policy, rather it provides greater detail on existing policies, explaining how these will be implemented (Planning Policy Statement 12). SPD provides a robust document which makes explicitly clear for all concerned the process, the criteria for decision making, and the requirements placed on applicants. The fact that	None.

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			better way of controlling development than more SPD which duplicates existing policy.		the SPD will be an adopted document lends it weight that would not be provided by advice from additional officers on a case by case basis.	
56	Whole document	1844 / 1446 / 159 /	Objection: The SPD puts particular emphasis on the character appraisals and assessments of areas. A well researched Design and Access Statement should address all of the items the SPD has sought to clarify.	There should not be a SPD.	The Council agrees that a good Design and Access Statement should clarify these issues. Unfortunately, in the past, many Design and Access Statements have not been of sufficient quality to do this. For this reason, the document includes reference to the issues such statements should cover, so that the Local Planning Authority will gain a better insight into the analysis of character and context that has been carried out by the applicant, and their design response to this. The SPD has an important role in emphasising what is required from applicants, both in terms of process and the information that needs to be provided with applications.	None.
57	Whole document	1845 / 1446 / 159 /	Objection: There is a shortage of accommodation in Cheltenham. The town is surrounded by AONBs and Green Belt land which means it cannot expand. This has led to shortages in	There should not be an SPD, restrictions should not be placed on the development potential of brownfield land within the urban area.	The SPD is certainly not intended to prevent development on garden land, but to improve the quality of applications generally, and resist only development which is inappropriate by	None.

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			development land. If the Council seeks to further curtail the development potential of previously developed land within the existing development boundaries, this will increase pressure to develop in surrounding areas.		virtue of its design and/or location.	
58	Whole document	1849 / 1446 / 159 /	General comment: Appropriate and well designed garden and infill development sites should be allowed to continue the evolution of Cheltenham and maintain its status as the heart of the region.	No specific changes requested	The Council agrees that appropriate and well designed garden and infill development sites should be allowed to continue the evolution of Cheltenham and maintain its status as the heart of the region. The SPD will help ensure that only well-designed garden land infill schemes succeed.	None.
59	Whole document	1850 / 1446 / 159 /	Objection: The key issue is to ensure that those determining applications are sufficiently qualified to use the current development policies to ensure what is approved is appropriate for the development of specific sites.	No specific changes requested	Those determining applications are already sufficiently qualified to use the current development policies. The SPD provides further explanation of how those policies will be implemented. One of the purposes of the SPD, as stated in paragraph 1.5 is to provide a consistent and robust approach to the assessment of applications for development. This will make the decision making process more explicit and	None.

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					clearer for all those involved.	
60	Whole document	1851 / 1446 / 159 /	Objection: A blanket policy will not work for both the centre and the suburbs and it will be a negative addition to the already excessive amount of policy available.	No need for an SPD.	The SPD does not provide a blanket policy. It does not provide a policy at all but expands upon existing policies in the saved local plan.	None.
61	Whole document	1852 / 1446 / 159 /	Objection: There are a number of good garden land and infill sites developments in Cheltenham, none of which would have happened had the SPD been in place.	Include additional examples.	The SPD cites good examples for the specific points they illustrate. Any further examples would need to do the same.	None.
62	Whole document	1853 / 1447 / 153 /	Supporting statement: The respondent welcomes the SPD's approach to play and town centres infrastructure as it potentially contributes to reducing health inequalities and reducing obesity.		Comments acknowledged.	
63	Whole document	1856 / 1448 / /	Supporting statement: Supports SPD and welcomes its introduction. Speaks, in particular, for the Cleavelands Drive area which has recently been subject to a (rejected) planning application which would have totally changed the character of the road and the surrounding area. In order for the unique		Comments acknowledged.	

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			<p>character of Cheltenham to be maintained it is vital that development of residential areas is controlled: any additional 'in fill' development in Cleevelands Drive would damage the area, potentially dangerously increase traffic, encourage on - street parking, prejudice residents' privacy and risks causing drainage problems.</p>			
64	Whole document	1857 / 1449 / /	<p>General comment: The respondent makes several general comments on planning which are not within the remit of the SPD. These include recommending that developers fund improvements to an affected neighbouring property directly. The respondent is not opposed to all "Garden Land and Infill" developments. There will be situations where a property [of no obvious historic merit] has an environmentally obsolete, if not virtually derelict, structure and sufficient attached garden to enable sympathetic development to take place. A sympathetic development would not involve three</p>	<p>The respondent requests that a "Garden Land and Infill" development should have a density close to if not equal to that of the surrounding properties.</p>	<p>The SPD's section on 'layout and development patterns' already requires that the density of any new development should respect the character of the block and street (p.33). Other requested changes are not within the remit of this SPD, therefore no changes are needed.</p>	None.

Rec. number	Document section	Representation number	Respondent comment	Respondent requested changes	CBC comment	Proposed modification
			storey buildings crammed together in an attempt to assuage density targets. A "Garden Land and Infill" development should have a density close to if not equal to that of the surrounding properties.			
65	Whole document	1859 / 1450 / /	General comment: Respondent questions whether Cheltenham's infrastructure- sewers, roads, schools and medical services etc- can cope with additional new developments. If these are not improved and extended to cope with an increased population before any further development takes place the quality of life in Cheltenham will deteriorate.	No changes requested.	The issue of Cheltenham's infrastructure and its ability to cope with more development is not within the remit of the SPD, as the document does not set new policy. However this will be addressed as part of the development of the Joint Core Strategy DPD for the Local Development Framework (LDF) and the Strategic Infrastructure Delivery Plan.	None.
66	Whole document	1936 / 1454 / 155 /	Objection: Concerned that the SPD is not legally founded and thus may be subject to challenge via judicial review should the Council proceed to formal adoption.	No need for a SPD.	The SPD is legally founded. Its relationship with the saved local plan policies is very clear – it provides further detail on policies CP3, CP4, CP7 and GE2. The character based approach and the wording of the document have been specifically drafted to elaborate on these policies, both in general terms, and in relation to specific points.	None

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67	Whole document	1963 / 1454 / 155 /	Objection: The draft SPD is far too long and contains irrelevant information. The first 18 pages serve no useful purpose. The guidance contained at pages 19-24 simply repeats what is already contained within adopted policy thus is of questionable value.	No need for SPD.	The draft SPD is a fairly succinct document. It may include background information which the respondent is already familiar with, but this does not mean it has no useful purpose. The SPD and guidance sections do not simply repeat adopted policy but provide greater detail on those policies and how they will be implemented."	None
68	Whole document	1964 / 1454 / 155 /	Objection: The imposition of additional controls over the development of previously developed land (including gardens) is contrary to national and regional policy guidance which seeks to make best use of land in the urban area.	There is no need for the SPD	The SPD does not impose additional controls. The purpose of SPD is in fact to provide further information on existing planning policies, and how they will be implemented (Planning Policy Statement 12). National and Regional guidance seeks to do the same as local planning policy, and the SPD, namely to make efficient and effective use of land, at the same time promoting the highest quality in the design of new development. The SPD takes these policies forward. However, it is noted that Policies CP1 and HS2 are relevant here, and the SPD relates to these as well as those listed in paragraph	Add policies CP1 and HS2 to the list in paragraph 2.12 and box 3.

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					2.12. In order to fully reflect the challenge of development on garden land and infill sites, policies CP1 and HS2 should be included within the list in paragraph 2.12 and in box 3.	
69	Whole document	1965 / 1454 / 155 /	Objection: The SPD is a retrograde step. The money expended in production would have been better used in providing additional resources within the local authority to address the lack of resources at officer level to identify what constitutes good and bad design. If an SPD was considered necessary then this should have been a design guide which covered all new development.	No need for SPD	Those determining applications are already sufficiently qualified to use the current development policies. The fact that the SPD will be an adopted document lends it a weight that would not be provided by advice from additional officers on a case by case basis. The identified need is for a document which promotes quality in the design of development on small sites. A design guide for residential development is not considered necessary.	None
70	Whole document	1966 / 1455 / /	Supporting statement: The document will be clearly useful in determining policy and consistency in many respects of such planning applications.		Comments acknowledged.	
71	Whole document	1972 / 1456 / /	Objection: The word 'normally' should not be used.	Remove word 'normally'	The word normally is used to allow for the fact that there will always be exceptions. However exceptions are just that and would need to be	None.

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					very well justified through a thorough Design and Access Statement.	
72	Whole document	1985 / 1457 / 54 /	Objection: Disappointing that the purpose and content of this document are strongly slanted to help developers make effective applications to build on garden land. SPD should be able to allow appropriate development in any remaining huge gardens but needs to provide positive protection for more modest gardens and amenity of people living nearby. 'Acceptable harm' to amenity and environment as mentioned in document is still harm. The SPD is surely not intended only to promote destruction of gardens. It should be quite clear that the document is also intended to protect against inappropriate garden loss.	It should be quite clear that the document is also intended to protect against inappropriate garden loss.	The document seeks to find the correct balance between national and local policies which seek to make the most efficient use of land, promoting higher densities of development, and those which take a rigorous approach to ensuring design quality. The purpose of the document is not to resist development on Garden land as a principle, only where it is poorly designed and in an inappropriate location. However, it is agreed that its role in ensuring that only appropriate development is approved should be made more clear - this could be included as a bullet point in section 1.5.	Add bullet point 4 to 1.5 to read "Ensure that only development that is in keeping with the quality and character of the neighbourhood and to a high standard of design will be allowed."
73	Whole document	1995 / 1457 / 54 /	Objection: The document does not mention the Local List of Buildings which should be available on the Council website. Many of these buildings have gardens and careful consideration should be given to development here. The statutory minimum	Mention the Local List in the document.	The Index of Buildings of Local Interest should be mentioned in the document.	Mention the Index of Buildings of Local Interest in the document.

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			protection is available to these buildings and their curtilage but developers should be aware that more care would be taken to protect these.			
74	Whole document	2008 / 1459 / 146 /	General comment: No comment	No comment	None	None
75	Chapter 1.1 Introduction	2011 / 214 / 61 /	Objection: The term 'open space' is mentioned and should be defined. Does the document also intend to cover more formal communal spaces and squares that may be specific as set pieces setting off Regency architecture? SPD should include a broader definition to provide a suitable level of protection for these other distinctive spaces within the town.	SPD should include a broader definition of open space to provide a suitable level of protection for these other distinctive spaces within the town.	The document relates to private spaces rather than formal communal spaces and squares. Public Green space is the subject of policy GE1 and this document does not relate to that policy. The term open space is not mentioned in the introduction. It is mentioned in chapter 3, and this could be clarified as public open space where appropriate.	In chapter 3. refer to public open space as a clarification where appropriate.
76	Chapter 1.1 Introduction	1815 / 505 / 76 /	Objection: Para 1. 9 The SPD appears to repeat guidance found elsewhere in national planning policy and statutory instruments. For example, Article 4 of the General Development Procedure Order clarifies exactly what should be submitted with applications.	Remove paragraph.	The existence of a local plan policy base and national policy framework by no means negates the need for an SPD. Quite the contrary, this is precisely the context within which SPD are intended to be prepared. The purpose of SPD is in fact to provide further information on existing planning policies, and how they will be implemented (Planning	None.

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					Policy Statement 12)In regard to the GDPO, It is perfectly legitimate for the SPD to bring together relevant issues relating to development on garden land and infill development, and to place greater emphasis on requirements that are already in place, but which are not always adhered to. In this way the document allows an explicit and robust decision making process, and the requirements place on applicants, to be clearly understood by all stakeholders.	
77	Chapter 1.1 Introduction	1816 / 505 / 76 /	Objection: Regarding para 1.13, the SPD is prepared using the saved policies from the adopted Local Plan as its policy base. If it is also to be part of the adopted LDF its wording and general tenor if established now will be prejudicial to the emergence and adoption of forthcoming policies in the LDF.	Not to have an SPD.	In the future, the policy basis for the SPD will be provided by appropriate policies within the Joint Core Strategy or other Development Plan Document (DPD). This approach has been agreed with Government Office for the South West.	None
78	Chapter 1.1 Introduction	1973 / 1441 / 162 /	Objection: Disagrees with statement that "a significant number of planning applications are submitted for development on the gardens of existing	Not have an SPD.	The number of applications is considered to be significant. The amount of housing that is delivered on garden land each year varies, but in 2007/2008 it constituted 10%	None

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			<p>properties in Cheltenham." Sees a high proportion of those that go to committee. Since the Authority's decision is that all such 'Garden Land and Infill sites' developments should go to committee assumes that respondent sees most of these applications, and they in no way constitute the majority of the applications made in Cheltenham. Over the last two years seen an increase in the number of applications for developments of garden and infill sites within Cheltenham; this is not surprising given the National and Regional Planning Policies that have come into force over the last few years in particular PPS1 and 3, Local Plan Policy CP7 and Policy HS2.</p>		<p>of dwellings delivered in 22 applications.</p>	
79	Chapter 1.1 Introduction	1937 / 1454 / 155 /	<p>Objection: Takes issue with the wording 'significant number' in relation to planning applications for garden land development in Cheltenham. There is no statistical analysis within Cheltenham to justify this statement and whilst this may well be the perception of residents and members of</p>	<p>Remove 'significant number.'</p>	<p>The number of applications is considered to be significant. The amount of housing that is delivered on garden land each year varies, but in 2007/2008 it constituted 10% of dwellings delivered in 22 applications.</p>	None

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			the Planning Committee, in practice the actual number of dwellings delivered upon existing residential gardens is relatively small.			
80	Chapter 1.3 Introduction	1884 / 1400 / /	Objection: Whilst it is noted that "a balance clearly must be struck between competing demands", there is very little reference to the relevant Planning Policy Statements 1 and 3, which positively encourage building in the urban area. There is also no mention that gardens are effectively defined in policy terms as brown land and no positive suggestion as to how the numbers of homes required in the urban area are going to be built.	Reference to PPS1 and PPS3 and garden land as brown field and suggestion as to how the number of homes required in the urban area are going to be built.	There are very clear sections on PPS1, PPS3 and a definition of brownfield land (Box 2) within Chapter 2 – Policy context. The role of the SPD is to provide more detail on existing policy, not to set new policies as to how the Regional Spatial Strategy (RSS) housing requirement will be delivered in the future. That is the role of the emerging core strategy.	None
81	Chapter 1.3 Introduction	1885 / 1400 / /	Objection: Box 1 Presumably garden land refers purely to residential rather than commercial?	SPD doesn't refer to commercial land and this should be clarified.	The SPD does refer to commercial land- see last paragraph in Box 1 which clarifies that it applies to all infill in residential areas.	None.
82	Chapter 1.3 Introduction	1861 / 1451 / 161 /	Objection: It is appreciated that a balance must be established between competing demands in the planning process. However, there is little very little mention of relevant Planning Policy Statements 1 and 3	PPSs 1 and 3 should be mentioned and there should be an acknowledgment that gardens land and infill plots are defined in policy terms as previously-developed	There are very clear sections on PPS1, PPS3 and a definition of brownfield land (Box 2) within Chapter 2 – Policy context.	None.

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			that seek to positively encourage building in the urban areas. It should also be acknowledged that gardens land and infill plots are defined in policy terms as previously-developed land.	land.		
83	Chapter 1.4 Purpose of the SPD	1879 / 1400 / /	Objection: The SPD could apply to all development in Cheltenham. A more appropriate title for the SPD may be "Design guidance for residential development in Cheltenham"? There has been a suggestion by some in favour of the SPD, that the implementation of the document is the only way that sufficient safeguards could be added to the existing planning system to prevent back gardens from being developed. Preventing development on garden land was not mentioned in the consultation or anywhere in the draft document.	The SPD should be for all development in Cheltenham. Do not have an SPD on garden land	Preventing development on Garden Land is not the purpose of the SPD. This is clearly set out in section 1.5. The document would not be appropriate for use on all residential development, as it applies to small sites only. A design guide for residential development generally would need a different focus, such as the creation of sustainable neighbourhoods, and good place making at a strategic as well as a site specific level.	None.
84	Chapter 1.4 Purpose of the SPD	1883 / 1400 / /	Objection: The SPD would be more appropriate as design guidance for the town centre. The idea of the SPD being design guidance has merit providing it is not over prescriptive.	Change the role of the document to a design guide for residential development in the town centre. Ensure that it is not over-prescriptive.	The SPD applies to the whole urban area of Cheltenham, not only the town centre. It includes elements common to a design guide, but also includes a sound policy basis.	None.

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85	Chapter 1.4 Purpose of the SPD	1860 / 1451 / 161 /	<p>Objection: The purpose of the SPD hasn't been made very clear in the document or through discussion. The proposed SPD is not relevant or necessary given the local plan policy base. The various policies in the adopted local plan already stipulate the sort of developments that are or aren't allowable and the addition of the SPD seems completely unnecessary for this reason. All the SPD is doing is duplicating guidance and statutory information that is already required to be submitted as part of planning applications given that, for example, character assessments and an appreciation of an area and site are required as part of a Design and Access Statement.</p>	<p>There is no need for the SPD.</p>	<p>The purpose of the SPD is very clear and is set out in paragraph 1.5. The purpose of the document is to improve the quality of schemes permitted, to resist inappropriate development, and to ensure that the basis for decision making is set out clearly for all stakeholders to see (which is at present not the case).The existence of a local plan policy base and national policy framework by no means negates the need for an SPD. Quite the contrary, this is precisely the context within which SPD are intended to be prepared. The purpose of SPD is in fact to provide further information on existing planning policies, and how they will be implemented (Planning Policy Statement 12)It is perfectly legitimate for the SPD to bring together relevant issues relating to development on garden land and infill development, and to place greater emphasis on requirements that are already in place, but which are not always adhered to. In this way the document allows an</p>	<p>None.</p>

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					<p>explicit and robust decision making process, and the requirements placed on applicants, to be clearly understood by all stakeholders. The Council agrees that many of the requirements placed on applicants are already required as part of Design and Access Statements. Unfortunately, in the past, many Design and Access Statements have not been of sufficient quality. For this reason, the document includes reference to the issues such statements should cover, so that the Local Planning Authority will gain a better insight into the analysis of character and context that has been carried out by the applicant, and their design response to this. The SPD has an important role in emphasising what is required from applicants, both in terms of process and the information that needs to be provided with applications so that the quality of proposals and applications is improved.</p>	
86	Chapter 1.4 Purpose of the SPD	1986 / 1457 / 54 /	Objection: Paragraph 1.5 shows the whole purpose of	Add 4th statement to paragraph 1.5: 'Exclude	The change as requested is too prescriptive and does not	Add bullet point 4 to 1.5 to read "Ensure that only

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			the SPD as encouraging and facilitating development on garden land. Even the third statement is taken within the document to provide robust arguments and formats for development. Add 4th statement to paragraph 1.5: 'Exclude proposals that annihilate gardens (even where not visible from the outside) which form part of a local pattern that should not be depreciated, which clearly damage amenity or which destroy wildlife habitats.'	proposals that annihilate gardens (even where not visible from the outside) which form part of a local pattern that should not be depreciated, which clearly damage amenity or which destroy wildlife habitats.'	take account of the need to understand the character of each place, to demonstrate this through the use of Design and Access Statements, and to respond to this in the design of a scheme. This point is covered in detail in Appendix 1 in the section on 'townscape and landscape significance'. Agree that the document could include a further bullet in paragraph 1.5 which would read "Ensure that only development that is in keeping with the quality and character of the neighbourhood and to a high standard of design will be allowed."	development that is in keeping with the quality and character of the neighbourhood and to a high standard of design will be allowed."
87	Chapter 1.5 Purpose of the SPD	1862 / 1451 / 161 /	Objection: Mention should be made of the fact that new development should be concentrated in the urban area and be of a high quality design.	Mention should be made of the fact that new development should be concentrated in the urban area and be of a high quality design.	The need to concentrate new development within the urban area is clearly set out in Chapter 2, on policy context. It is not the main purpose of the SPD, rather the SPD is set within this context. The need for high quality design is addressed in bullet point 2.	None
88	Chapter 1.5 Purpose of the SPD	2001 / 1458 / /	Objection: The respondent would like to propose adding bullet point 4 to paragraph 1.5 to read: 'Ensure that only	Add bullet point 4 to 1.5 to read: 'Ensure that only development that is in keeping with the quality	Agree that a bullet point needs to be inserted which allows the council to resist poorly designed development in inappropriate locations	Add bullet point 4 to 1.5 to read "Ensure that only development that is in keeping with the quality and character of the

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			development that is in keeping with the quality and character of the neighbourhood and to a high standard of design will be allowed'.	and character of the neighbourhood and to a high standard of design will be allowed'.		neighbourhood and to a high standard of design will be allowed."
89	Chapter 2.1 Policy Context Introduction	2012 / 214 / 61 /	Objection: Include PPG15 and PPG16 within the National Policy section so that a holistic approach is taken towards all national policy. Also new PPS publications such as PPS4 on Economic Prosperity and the new Historic Environment PPS which may also be available by the time the document is finally completed.	Include PPG15 and PPG16 within the National Policy section so that a holistic approach is taken towards all national policy. Also new PPS publications such as PPS4 on Economic Prosperity and the new Historic Environment PPS which may also be available by the time the document is finally completed	The PPSs referred to are those which provide the context for the core of the debate around garden land; namely the need to make the most efficient and effective use of land, and the need to promote higher quality in design. PPS1 and 3 are therefore most relevant. However, there could be a reference to the need to consult other relevant PPS, with a list included in an appendix.	After paragraph 2.6 refer to the need to consult other relevant PPS, with a list provided in an appendix
90	Chapter 2.1 Policy Context Introduction	2013 / 214 / 61 /	Objection: The SPD should point to the need to consult the Historic Environment Records (there is one Scheduled Monument in Cheltenham).	The SPD should point to the need to consult the Historic Environment Records (there is one Scheduled Monument in Cheltenham).	Comments acknowledged. There are 6 SAMS in Cheltenham.	Make reference to SAMS in sections on the historic environment in chapters 2 and 3.
91	Chapter 2.1 Policy Context Introduction	1817 / 505 / 76 /	Objection: Regarding paras 2.7 to 2.10 the nature of the transitional policy framework illustrates the prematurity of the SPD.	No need for SPD.	The SPD cannot be considered premature when a number of applications for development on garden land and infill sites are submitted every year, and a number of developments have been built in recent years. It would be	None.

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					rather artificial to wait for an emerging policy context when saved policies already exist which provide the framework for the SPD.	
92	Chapter 2.1 Policy Context Introduction	1818 / 505 / 76 /	Objection: Regarding Para 2.17 Adopted Local Plan Policy BE1 is particularly comprehensive in its protection of open spaces. There is little need for a SPD to reiterate the same points.	No need for SPD to reiterate same points as Policy BE1	This section of the SPD sets out the policy context within which the SPD has been prepared. Not everyone reading the SPD will be familiar with the policy background, and it is perfectly legitimate make reference to the national and local policy context.	None.
93	Chapter 2.1 Policy Context Introduction	1923 / 1399 / /	Objection: AONBs and Green Belt and its importance to Cheltenham's setting is not mentioned in the policy chapter. Local Plan Policy EN3 is not mentioned either. Restrictions for AONB development could be first mentioned in par 3.6.	That the AONB, Green Belt and Policy EN3 should be mentioned in this section.	The Council does not consider it helpful to refer to AONB or Green belt policy. Whilst these are related issues, due to their impact on the housing land supply, neither the AONB nor the Green Belt will be directly affected by the SPD. The SPD relates to development within the existing urban area, not outside its boundaries.	None
94	Chapter 2.1 Policy Context Introduction	1809 / 1441 / 158 /	Objection: The respondent questions why further policies are required; PPS1, PPS 3 and Local Plan Policy CP7 provide clear and concise policy framework which allows professional	Not have the SPD.	The existence of a local plan policy base and national policy framework by no means negates the need for an SPD. Quite the contrary, this is precisely the context within which the SPD is	Add policies CP1 and HS2 to the list in paragraph 2.12 and box 3.

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			<p>officers adequate provision to refuse schemes that are deemed to be inappropriate and of poor quality design. Design and Access Statements; which are required to support developments of the size and nature that would be subject to this SPD, should address all of the items this Draft SPD has sought to clarify. A well considered and prepared Design and Access Statement should ensure that Officers have sufficient information to assess and determine the applications on policy and design grounds. If officers do not feel they have the expertise in house to assess a scheme in light of the guidance set out in PPS1,3 and Local Plan Policy CP7, to enable them to determine such applications there are a number of avenues open to them. The development of further supplementary planning guidance documents will only seek to increase the checklist approach to planning which has become more prevalent over the last few years.</p>		<p>intended to be prepared. The respondent should be clear that SPD does not contain further policies. The purpose of SPD is in fact to provide further information on existing planning policies, and how they will be implemented (Planning Policy Statement 12) . It is perfectly legitimate for the SPD to bring together relevant issues relating to development on garden land and infill development, and to place greater emphasis on requirements that are already in place, but which are not always adhered to. In this way the document allows an explicit and robust decision making process, and the requirements place on applicants, to be clearly understood by all stakeholders. The Council agrees that many of the requirements placed on applicants are already required as part of Design and Access Statements. Unfortunately, in the past, many Design and Access Statements have not been of sufficient quality. For this reason, the document</p>	

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			<p>There are further policies providing guidance on the forms of development that need to be considered which advocate nationally endorsed levels of density. To resist these forms of development would contradict the guidance set out in; Policy CP1 and Policy HS2.</p>		<p>includes reference to the issues such statements should cover, so that the Local Planning Authority will gain a better insight into the analysis of character and context that has been carried out by the applicant, and their design response to this. The SPD has an important role in emphasising what is required from applicants, both in terms of process and the information that needs to be provided with applications so that the quality of proposals and applications is improved. The Council agrees that in order to fully reflect the challenge of development on garden land and infill sites, policies CP1 and HS2 should be included within the list in paragraph 2.12 and in box 3.</p>	
95	Chapter 2.1 Policy Context Introduction	1939 / 1454 / 155 /	<p>Objection: The draft SPD appears to seek to impose policies which relate to all new residential development wherever it occurs. If residential gardens were deemed so important to meet play, gardening and general enjoyment needs then it would be logical for the Borough to impose upon</p>	<p>The SPD should not impose policies which relate to all new residential development wherever it occurs.</p>	<p>The SPD does not impose any policies, and certainly does not make policy on the size of gardens. The purpose of SPD is in fact to provide further information on existing planning policies, and how they will be implemented (Planning Policy Statement 12).</p>	None

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			all residential developments minimum garden sizes. No such policy exists within the Council and thus a large residential garden could be afforded far greater protection and require a higher space standard than that imposed upon new residential development schemes. This would not be equitable nor reasonable.			
96	Chapter 2.2 National policy	1941 / 1454 / 155 /	Objection: Extracts from PPS3 are highly misleading and incomplete (box on page 9). PPS3 contains a clear presumption in favour of the development and increased density of land within the principal urban areas including gardens. SPD writer has sought to cherry pick paragraphs which justify a more restrictive approach to the development of garden sites than the government ever intended.	Include further excerpts from PPS3 which stress its clear presumption in favour of the development and increased density of land within the principal urban areas including gardens	The Council disagrees; the extract conveys the essence of PPS3. The key point is that, in creating sustainable neighbourhoods, a balance needs to be found between making efficient and effective use of land (increasing density), and promoting the highest quality in new design. The aim should be to achieve both, not one at the expense of the other. Paragraph 50 of PPS3 makes this point well, and therefore paragraph 2.6 of the SPD provides a quote.	None.
97	Chapter 2.6 National policy	1887 / 1400 / /	Objection: There appears to be very little mention of the density guidance set out in PPS3, perhaps this should be included.	Include reference to density guidance set out in PPS 3.	The SPD makes reference to density issues as covered in PPS 3 in paragraph 2.6. Whilst PPS3 has more to say on the subject, the key point is that a balance needs to be found between making	None

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					efficient and effective use of land, and increasing densities as appropriate. Paragraph 50 of PPS3 makes this point well, and paragraph 2.6 of the SPD provides a quote.	
98	Chapter 2.6 National policy	1863 / 1451 / 161 /	Objection: There should be reference in par. 2.6 to the density guidance set out in PPS 3 and that a minimum density of 30 dwellings per hectare should be sought.	There should be reference here to the density guidance set out in PPS 3 and that a minimum density of 30 dwellings per hectare should be sought.	The figure of a minimum density of 30 dph (net) is a national indicative minimum 'to guide policy development and decision making until local density policies are in place'. However, in Cheltenham a local policy is in place (HS2) and it is therefore more appropriate to refer to this. Whilst PPS3 has more to say on the subject of density, the key point is that a balance needs to be found between making efficient and effective use of land, and promoting the highest quality in design as appropriate. Paragraph 50 of PPS3 makes this point well, and paragraph 2.6 of the SPD provides a quote.	No additional reference to PPS3, but include reference to HS2 in the list of policies on page 11 and in Box 3.
99	Chapter 2.7 Regional policy	1888 / 1400 / /	Objection: The policies SR1 SR10 SR13 are highly relevant here; giving rates of new homes required in the urban area.	Make reference to these policies.	Agree reference should be made in Chapter 2 to the relevant RSS policies which identify levels of housing provision for the Cheltenham area	Make reference to the relevant policies.

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100	Chapter 2.7 Regional policy	1864 / 1451 / 161 /	Objection: Regional policies are relevant in this paragraph and mention should be given to the amount of new dwellings that should be accommodated within the urban area.	Regional policies are relevant in this paragraph and mention should be given to the amount of new dwellings that should be accommodated within the urban area.	Agree reference should be made in Chapter 2 to the relevant RSS policies which identify levels of housing provision for the Cheltenham area	Make reference to the relevant policies.
101	Chapter 2.7 Regional policy	1938 / 1454 / 155 /	Objection: The SPD appears contrary to the advice contained within the draft RSS which would tend to imply that a greater proportion of the town's housing land supply should be accommodated within the existing urban area. The draft of the SPD has failed to fully expand upon the relevant policies within the RSS, particularly Policies SR1, SR10 and SR13, all of which support the development of brownfield sites within the urban area.	Expand upon relevant RSS policies.	The SPD is not contrary to the RSS. Quite the opposite, it provides greater detail on how RSS policies will be delivered, explaining how the council intends to raise the design quality of development that is built on garden land and infill sites within the urban area. In fact, since there is a requirement to deliver housing from within the urban area, it is all the more important that such development should not cause harm to the character of their locality, and if possible that they should enhance it. The SPD is therefore particularly pertinent. Agree reference should be made in Chapter 2 to the relevant RSS policies which identify levels of housing provision for the Cheltenham area	Make reference to the relevant policies.
102	Chapter 2.10 Local policy	1784 / 187 / 154 /	Objection: The Cotswolds Conservation Board suggests that mention	Include reference to SWRSS policy for protected landscapes.	The Council does not consider it relevant to refer to the SWRSS policy on	None.

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			should be made of the AONB policy in the Local Plan, linked to relevant SWRSS policy. One of the criteria to be considered is suggested in the document to be the character of the landscape. In the AONB this is the highest priority - this should be reflected in the SPD.	Include reference to Local Plan AONB policy.	protected landscapes or AONB policy. Whilst important, the AONB will not be directly affected by the SPD. The SPD relates to development within the existing urban area, not outside its boundaries.	
103	Chapter 2.10 Local policy	2014 / 214 / 61 /	Objection: Other SPDs should be integrated into this SPD, most importantly the Conservation Area character assessments and the Civic Pride SPD. These SPDs' policies should help inform this SPD as well as the SA. There is also work currently evolving on parks and public spaces within the town that should be taken into account through the SA.	Other SPDs should be integrated into this SPD, most importantly the Conservation Area character assessments and the Civic Pride SPD.	The CA character appraisals are not only referenced, but a link is provided to them, to repeat their content here would create an overly long document	None.
104	Chapter 2.10 Local policy	1940 / 1454 / 155 /	General comment: Understood, and to a degree, agreed that some applications for development on garden land are inappropriate and of poor quality. Further agreed that sometimes designers have failed to consider character of area and impact of their proposals on that character. Many sites which architects	No need for SPD	The Council draws the opposite conclusions from these arguments. If the current process is failing to ensure design quality and resist inappropriate development, then an SPD which explains the existing policies, and provides a clear, consistent and robust framework evident to all stakeholders, is precisely	None

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			<p>would consider inappropriate and of poor quality have regrettably been recommended for approval at officer level. Adequate policies already exist (locally regionally and nationally) which should allow officers and committee to refuse poor schemes. No evidence that poor quality schemes recommended for refusal by officers are subsequently overturned by Appeal Inspectors. Instead, Inspectors are seeking to raise the bar in term of design. If officers are currently failing to identify those schemes which are poor and inappropriate then it is questionable whether an SPD will assist good town planning.</p>		<p>what is needed.</p>	
105	Chapter 2.10 Local policy	1942 / 1454 / 155 /	<p>Objection: The drafters of the SPD have cherry picked those policies which seek to justify the stance taken or which the drafters have been instructed to respond to. CP1 and HS2 should be listed in the main body of the text and not just in the appendix.</p>	<p>Refer to CP1 and HS2 in the main body of the text and not just in the appendix.</p>	<p>The Council agrees that CP1 And HS2 are relevant, and in fact the SPD already takes forward the contents of these policies in demonstrating how intensification through development on garden land and infill sites should be approached. In order to fully reflect the challenge of development on garden land and infill sites, policies CP1</p>	<p>Add policies CP1 and HS2 to the list in paragraph 2.12 and box 3.</p>

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					and HS2 should be included within the list in paragraph 2.12 and in box 3.	
106	Chapter 2.12 Local policy	1834 / 154 / 44 /	Supporting statement: The Residents' Association endorses the principles set out in the document, and particularly welcomes the importance of sustaining private open space, where this is significant in the townscape (page 11). Their area is notable for its lack of public open space. For this reason, private open space, and the greenery within it, is of high importance to residents of the area. Of particular importance are private spaces which are fully open to view, and even for limited public access. It gives examples of this.		Comments acknowledged.	
107	Chapter 2.12 Local policy	1889 / 1400 / /	Objection: There appear to be other relevant local plan housing policies missed off here perhaps these should be highlighted?	Make reference to the other local plan housing policies.	The Council agrees that in order to fully reflect the challenge of development on garden land and infill sites, policies CP1 and HS2 should be included within the list in paragraph 2.12 and in box 3.	Add policies CP1 and HS2 to the list in paragraph 2.12 and box 3.
108	Chapter 2.12 Local policy	1865 / 1451 / 161 /	Objection: Not all relevant local plan policies are mentioned here and should be.	Mention all relevant local plan policies here.	The Council agrees that in order to fully reflect the challenge of development on garden land and infill sites, policies CP1 and HS2 should	Add policies CP1 and HS2 to the list in paragraph 2.12 and box 3.

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					be included within the list in paragraph 2.12 and in box 3.	
109	Chapter 2.13 Conservation Areas policy	2015 / 214 / 61 /	Objection: Section on Conservation Areas is very helpful but further work needs to be undertaken to ensure that the special characteristics so important to the distinctiveness of the Cheltenham Conservation Area are fully considered and preserved and enhanced where appropriate through the policies within the SPD. Direct consultation with the Conservation officer is therefore strongly recommended.	Further work needs to be undertaken to ensure that the special characteristics so important to the distinctiveness of the Cheltenham Conservation Area are fully considered and preserved and enhanced where appropriate through the policies within the SPD. Direct consultation with the Conservation officer is therefore strongly recommended.	Direct consultation with the conservation officer has taken place, and her comments will be incorporated into the final document. The CA appraisals are fully referenced in chapter 3. However reference could be made to the need to take particular care in conservation areas.	Chapter 3, page 17. Make reference to the special protection provided within conservation areas, and the need to refer to conservation area appraisals, and to preserve and enhance.
110	Chapter 2.13 Conservation Areas policy	2016 / 214 / 61 /	Objection: A map of the whole district should be provided so that any reader can fully understand how much of the urban and outlying areas of the District are covered by the Conservation Area designation.	A map of the whole district should be provided so that any reader can fully understand how much of the urban and outlying areas of the District are covered by the Conservation Area designation.	A link to the conservation area page of the Council's website is provided at paragraph 2.19. Maps can be viewed here.	Insert the words: 'maps of the conservation areas..' in front of the text at paragraph 2.19.
111	Chapter 2.13 Conservation Areas policy	2018 / 214 / 61 /	Objection: In many cases the current character and appearance of specific parts of the conservation areas are just as dependent on large gardens and open spaces as the buildings themselves.	Consider a policy that reflects this level of importance in the historic environment by resisting any form of development that might undermine the significant historic	The SPD does not make policy, it can only provide further detail on existing policy. The Local Plan has sufficient policies to do this, and the emerging DPD will continue to address this	None

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			Consider a policy that reflects this level of importance in the historic environment by resisting any form of development that might undermine the significant historic townscape of that part of the conservation area unless it can be seen to be repairing lost or spoilt sections.	townscape of that part of the conservation area unless it can be seen to be repairing lost or spoilt sections.	issue.	
112	Chapter 2.13 Conservation Areas policy	2019 / 214 / 61 /	Objection: Would it be helpful to introduce quality control in the specific policies that are for development control use? Is there a need to qualify any new development in terms of height, mass and bulk and appropriate quality of materials used?	Would it be helpful to introduce quality control in the specific policies that are for development control use? Is there a need to qualify any new development in terms of height, mass and bulk and appropriate quality of materials used?	Unclear what this question means – the SPD sets up a clear process and criteria whereby height, mass and bulk and materials will be considered as part of the character analysis, and the design response.	None.
113	Chapter 2.13 Conservation Areas policy	2020 / 214 / 61 /	Objection: Consider significant part played by trees in conservation areas, especially in residential parts. The role of historic landscaping schemes should be fully considered in the conservation area context.	Consider significant part played by trees in conservation areas, especially in residential parts. The role of historic landscaping schemes should be fully considered in the conservation area context.	This should be picked up in CA assessments, and the council would expect these things to be picked up in character appraisals – the SPD therefore makes provision for this.	None.
114	Chapter 2.13 Conservation Areas policy	1890 / 1400 / /	Objection: There is a requirement to preserve or enhance not simply to enhance as highlighted in	Amend sentence to state 'preserve or enhance.'	Sentence should be amended to state 'preserve or enhance.'	Amend sentence to state 'preserve or enhance.'

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			paragraph in 2.13			
115	Chapter 2.13 Conservation Areas policy	1866 / 1451 / 161 /	<p>Objection: Conservation area policy 2.13 The requirement is to preserve or enhance the character or appearance of a conservation area not simply to enhance as highlighted in paragraph in 2.13.</p> <p>Paragraph 2.15 Perhaps the conservation area statements should replace the more general plan?</p>	Change wording in par 2.13 to read 'preserve or enhance.' Replace the more general plan with conservation area statements.	The wording in par 2.13 could be changed to read 'preserve or enhance.' It is not understood what is meant by the conservation area statements should replace the more general plan.	Change the wording in par 2.13 to read 'preserve or enhance.'
116	Chapter 2.13 Conservation Areas policy	1943 / 1454 / 155 /	<p>Objection: The drafters of the SPD are seeking a higher standard than that required under the terms of the Act. The wording in par 2.13 could be changed to read 'preserve or enhance' to reflect the 1990 Act. The existence of 7 large Conservation Areas within the town tends to support a more relaxed policy framework for those areas which fall outside of the Conservation Area.</p>	The wording in par 2.13 could be changed to read 'preserve or enhance.'	The wording in par 2.13 could be changed to read 'preserve or enhance.'	The wording in par 2.13 to be changed to read 'preserve or enhance.'
117	Chapter 2.14 Conservation Areas policy	2017 / 214 / 61 /	Objection: Not clear from current document whether there any special or specific policies that relate to proposed development within	Make clear whether there any special or specific policies that relate to proposed development within a conservation area	In terms of garden land, there are no special or specific qualities, as the importance of design quality is being emphasised across the	None

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			a conservation area itself.	itself.	whole district. There are other policies in place, and reference to these in the document, that set out the special treatment required in conservation areas. It should be noted that the process the document sets up, to carry out a thorough character analysis, and provide a design and access statement, should pick up the fact that a site is within a conservation area, and respond to this accordingly. Therefore there is provision for special treatment of conservation areas within the document.	
118	Chapter 2.15 Conservation Areas policy	1891 / 1400 / /	Objection: Perhaps the conservation area statements should replace the more general Appendix 3 plan?	Conservation area statements should replace more general Appendix 3 plan	This would make the document extremely lengthy.	None.
119	Chapter 3.1 Understanding and responding to character	1892 / 1400 / /	Objection: GE2 may not be relevant.	Remove reference to GE2.	The Council disagrees. Policy GE2 is highly relevant, it specifically refers to development on gardens	None.
120	Chapter 3.3 Understanding and responding to character	1819 / 505 / 76 /	Objection: Para 3.3 Box 4 This is not a definition derived from a Government sponsored document. It is undesirable to limit or direct consideration to anything that is not Government	The quote should be deleted.	The quotation is taken from a piece in the Dictionary of Urbanism which provides a definition, followed by an element of discussion of how policies on character have been implemented, and the	None

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			policy or contained within the development plan.		<p>musings of several writers. The purpose was to provide clarity of understanding about what character is. It is perfectly legitimate for the contents of an SPD to seek to provide understanding using documentation, and discussion other than that provided by Government. Urban Design and planning thought and understanding is not confined merely to Government definitions, there is scope for intelligent, rational thought and development of understanding as a profession and on a collective level.</p>	
121	Chapter 3.3 Understanding and responding to character	1893 / 1400 / /	<p>Objection: Include last section of this quote where it states "... Often the policy says no more than that development should be "appropriate" to its local context, without giving any clear idea as to what that might mean. How a place's character is defined in any official context will help determine in whose interests it is planned and developed."</p>	Include last section of this quote	<p>The quotation is taken from a piece in the Dictionary of Urbanism which provides a definition, followed by an element of discussion of how policies on character have been implemented, and the musings of several writers. The purpose was to provide clarity of understanding about what character is, not to include all the elements of debate, although this is of course of interest to anyone seeking to define character. The suggested addition</p>	None

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					would detract from the point.	
122	Chapter 3.3 Understanding and responding to character	1867 / 1451 / 161 /	Objection: Paragraph 3.1 GE2 is not relevant.	Remove reference to Policy GE2	The Council disagrees. Policy GE2 is highly relevant, it specifically refers to development on gardens.	None.
123	Chapter 3.3 Understanding and responding to character	1987 / 1457 / 54 /	Objection: Delete 'the extent to which this is the case depends on the visibility of those gardens from the public realm,' in paragraph 3.3 page 13. Back gardens with privacy which is so valuable to a town are pleasant and useful. However, this clause makes it clear that this privacy makes them particularly vulnerable to development. If these rather private gardens are lost, the local pattern is destroyed, the value of houses falls and the integrity of the area crumbles. If the above clause is kept in, a developer could argue that if a garden is not visible to the public it makes little or no contribution to character of the place. Cheltenham should not pretend to be a garden town by keeping a camouflage of greenery over a grey-brown interior stuffed with houses.	Delete clause	The purpose of the SPD is not to resist development on garden land, therefore the requested changes would be inappropriate. The approach taken on page 28 is supported by appeal decisions and is based on established urban design thinking and practice. As is noted, there are no absolutes in this matter, and character appraisals will be needed to identify whether individual gardens are of townscape or environmental significance.	None.
124	Chapter 3.8 The	1968 / 1456 / /	Objection: The maps on	Remove maps		Delete historic maps and

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	Character of Cheltenham		p17/18 don't work – don't really need them as there is a similar appendix		The Council agrees that the historic maps to not provide a meaningful addition to the document, and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them. A current map of the town is included in appendix 3	amend text accordingly.
125	Chapter 3.4 Understanding and responding to character	1924 / 1399 / 163 /	Objection: Paragraph 3.3 should recognise that 'the public' includes those residents whose properties adjoin the garden in question.	Change paragraph 3.3 to recognise that 'the public' includes those residents whose properties adjoin the garden in question.	The paragraph refers to the 'public realm' rather than 'the public.' The public realm can be defined 'as the parts of a village, town or city (whether publicly or privately owned) that are available, without charge, for everyone to use or see, including streets, squares and parks,' (By Design, p92). The development of a garden site may have an impact on a neighbour's amenity and the SPD addresses this issue elsewhere.	None.
126	Chapter 3.4 Understanding and responding to character	1944 / 1454 / 155 /	Objection: Paragraph 3.3 cannot be taken in isolation as a definition of an area's character. To do so would afford a level of protection to existing patterns of development which are simply not supported by any local, regional or policy framework.	Refer to other definitions.	Paragraph 3.3 should by no means be taken in isolation. It represents a sound definition, but paragraphs 3.2 to 3.5, including box 5, together provide a fuller discussion of this complex issue, along with references for further reading. The Council notes that 'By	None

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					Design – Urban design in the planning system: towards better practice', discusses the issue of character and attempts to break this down into different components. This is a Government guidance document referenced in both PPS1 and PPS3. The issue is of central importance in achieving good design.	
127	Chapter 3.6 The Character of Cheltenham	1894 / 1400 / /	Objection: Legally there is no "right to a view" although it is accepted that mass and heights of buildings are relevant considerations.	It is not clear as to what is being requested.	This paragraph is not discussing the legality of rights to a view but describing the character of Cheltenham, of which views and vistas towards the hills form an important part.	None.
128	Chapter 3.6 The Character of Cheltenham	1898 / 1400 / /	Objection: Box 6 Most of these elements are covered by other legislation and/or guidance.	It is not clear as to what is being requested.	The SPD brings together, and elaborates upon, guidance and legislation which is relevant to garden land and infill sites. This assists councillors, officers, applicants, residents and other interested parties.	None.
129	Chapter 3.6 The Character of Cheltenham	1980 / 1441 / 162 /	Objection: The inclusion of the historic maps is somewhat baffling. Whilst these are a constant point of reference for the Conservation Officer in Cheltenham Borough they bear little resemblance to the	Remove maps.	The Council agrees that the historic maps to not provide a meaningful addition to the document, and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them.	Delete historic maps and amend text accordingly

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			context of modern day Cheltenham, and while at the time they were generated they reflected not only what was already built, but what was proposed for the town.			
130	Chapter 3.6 The Character of Cheltenham	1868 / 1451 / 161 /	Objection: Paragraph 3.6 Legally there is no right to a view, although it is accepted that mass and heights of buildings are relevant considerations.	It is unclear what is requested.	This paragraph is not discussing the legality of rights to a view but describing the character of Cheltenham, of which views and vistas towards the hills form an important part.	None.
131	Chapter 3.6 The Character of Cheltenham	1945 / 1454 / 155 /	Objection: Paragraph 3.6 is of concern. Development that could disrupt a view of hills or the escarpment should not automatically be resisted. Views are not protected in planning law and in a vibrant commercial centre it would be inappropriate to afford protection to every site purely because it offered a view or vista towards the hills surrounding the town. Such an approach would be overly restrictive and disproportionate. The historic maps are misleading and should not be included in the SPD. The 1834 map demonstrates that private large rear gardens were not part of the historic	Make clear that development that could disrupt a view of hills or the escarpment should not automatically be resisted. Take out historic maps.	This paragraph is not discussing the legality of rights to a view but describing the character of Cheltenham, of which views and vistas towards the hills form an important part. The historic maps show how the town developed historically, its patterns of development. and how these have influenced its modern day character. The document does not state that Cheltenham is a garden city. The Council agrees that the historic maps do not provide a meaningful addition to the document, and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them.	Delete historic maps and amend text accordingly

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			character of Cheltenham. Cheltenham is not a garden city and thus the document seeks to protect elements of the character of the town which have no historical references.			
132	Chapter 3.6 The Character of Cheltenham	1988 / 1457 / 54 /	Objection: Paragraph 3.5 states 'preservation...must also allow a place to evolve'. Change is not always desirable or inevitable. The above statement needs to be softened or it could be powerfully invoked to promote unsuitable or unnecessary loss of gardens. The sentence could be interpreted to mean that any preservation must include small or large changes which are excusable. The document can be manipulated so that even so-called preservation can pull along a train of new build.	Delete 'must,' substitute 'may' or 'can'	The Council disagrees, a caveat is already provided here which states that change should not cause harm to the character or amenity of an area.	None.
133	Chapter 3.8 The Character of Cheltenham	1847 / 1446 / 159 /	Objection: Questions the relevance of historic maps within a document looking to restrict development as historic maps form the vision and development proposals of the time.	Remove the historic maps	The Council agrees that the historic maps do not provide a meaningful addition to the document, and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them.	Delete historic maps and amend text accordingly.'

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134	Chapter 3.9 The Character of Cheltenham	1895 / 1400 / /	Objection: The original maps have some relevance in terms of the setting of important buildings but perhaps the map of 2009 would be more relevant here?	Insert a current map of town centre alongside the historic maps.	The historic maps do not provide a meaningful addition to the document and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them. A current map of the town is included in appendix 3.	Delete historic maps and amend text accordingly.
135	Chapter 3.9 The Character of Cheltenham	1869 / 1451 / 161 /	Objection: Paragraph 3.9 A current map of the town centre would be more relevant here.	Insert a current map of town centre.	The Council agrees that the historic maps to not provide a meaningful addition to the document, and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them. A current map of the town is included in appendix 3.	Delete historic maps and amend text accordingly
136	Chapter 3.9 The Character of Cheltenham	1989 / 1457 / 54 /	Objection: Redefine the word 'enhance' or use a better word in paragraph 3.9 as its meaning has been degraded in planning to mean 'not to make worse.'	Redefine the word 'enhance' or use a better word in paragraph 3.9 as its meaning has been degraded in planning to mean 'not to make worse.'	Cannot see the word referred to in this paragraph. The Council does not agree that the term enhance has been degraded.	None
137	Chapter 3.10 The Character of Cheltenham	1990 / 1457 / 54 /	Objection: Regarding paragraph 3.10 on page 15 line 1 & 2, surely the meaning should be 'green' open space here rather than just open space otherwise could refer to large car parks.	Insert 'green'	The term open space is generally used to mean green spaces and civic spaces which are hard surfaced, not car parks. No change is necessary here.	None.
138	Chapter 3.12 The	2002 / 1398 / /	Objection: Section 3.12.	Remove reference to	Comments are	None

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	Character of Cheltenham		Character area assessments: - The idea is good but if carried out by the applicant, it will surely be biased towards how the applicant sees the character of the area. It would be more appropriate to be carried out by Cheltenham Planning Department in consultation with the Parish Council.	applicant carrying out character area assessments.	acknowledged. However it is an important part of the design process that applicants carry out a character assessment. Without this it will be more difficult to design a scheme which responds to that character. No doubt officers and members will want to use the document to carry out their own character appraisals, and this is suggested in the Decision chart on page 23.	
139	Chapter 3.12 The Character of Cheltenham	1870 / 1451 / 161 /	Objection: The detailed character assessments/appraisals for the majority of the town are already prepared. There are conservation appraisals for the 19 areas that make up the town centre conservation area. Does this information need to be duplicated?	Unclear what is being requested – remove the need for character assessments to inform planning applications on garden land?	Conservation Area Character appraisals only cover certain areas, and in addition they tend to cover wider areas, and can be quite general. As paragraph 3.12 points out 'the character of the town varies greatly, and there can be significant differences between streets and blocks'. What is being proposed here is that succinct and perceptive character assessments are carried out as part of the process to develop and design a scheme on Garden Land and Infill sites. This is intended to assist the designer in responding to the local character, and is not an	None.

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					onerous request – it is something which applicants should already be doing as part of the requirement for Design and Access Statements, but which often is not evident in applications.	
140	Chapter 3.13 The Character of Cheltenham	1811 / 1441 / 158 /	<p>Objection: The panel questions the relevance of the historic maps within a document looking to restrict development. They form the vision and development proposals of the time and without that investment and change Cheltenham would not be the thriving town it is today. It is important to consider any development in the context of the present time and how it will affect and help with the development of town in the future. An apparent blanket ban on the development of any 'garden land or infill sites' land would be detrimental to the sustainability of Cheltenham as a regional centre.</p> <p>The town has evolved over the centuries, as indicated by the historic maps included in the report and it must continue to develop to meet the changing needs of</p>	Remove or explain maps?	<p>The Council agrees that the historic maps to not provide a meaningful addition to the document, and the points made in paragraphs 3.8 and 3.9 regarding the evolution of the town can be made without them. A current map of the town is included in appendix 3. The SPD does not propose a blanket ban on garden land and infill development. Quite the contrary, it seeks to improve the quality of applications generally, and resist only development which is inappropriate by virtue of its poor quality design and/or inappropriate location. This is not about being restrictive, but about taking forward Government's stated aims to raise quality.</p>	Delete historic maps and amend text accordingly

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			the population. The panel questions the driving force for this reinforcement of the policy and can only speculate it is driven by the politics of the planning committee.			
141	Chapter 3.14 Protecting amenity	1991 / 1457 / 54 /	Objection: P15 para.3.14 line 3 - there is no earlier reference to policy SR4 as mentioned in this paragraph.	Make clear where is Policy SR4	This is a typographical error. The reference should be to policy CP4 as set out in chapter 2, box 3.	Change the reference to CP4 (see Box 3).
142	Chapter 3.15 Protecting amenity	1897 / 1400 / /	Objection: The supplementary planning guidance relating to amenity space has been adopted for some time and again this would suggest that further guidance isn't needed.	No need for further information on amenity in the SPD	The SPD provides information on the process that is required of anyone seeking to develop on garden land and infill sites, providing further information on how the relevant policies will be implemented, and emphasising the key criteria which will be considered in applications. This includes information such as amenity which is also covered within other documents. This does not mean that it should not be included here – the SPD brings together the key issues in one place to provide clarity and a robust approach.	None.
143	Chapter 3.15 Protecting amenity	1871 / 1451 / 161 /	Objection: The SPG that relates to amenity space has been adopted further suggesting that this	No need for the SPD.	The SPD includes information such as that on amenity which is also covered within other	None.

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			guidance is not required.		documents. This does not mean that it should not be included here – the SPD brings together the key issues in one place to provide clarity and a robust approach.	
144	Figure 6 Elements of amenity	1840 / 1444 / /	Supporting statement: The elements of the amenity box are most important, covering the respondent's concerns.		Comments are acknowledged.	
145	Figure 6 Elements of amenity	1872 / 1451 / 161 /	Objection: Box 6 Most of these elements are covered by other legislation and/or guidance.	Remove box.	The SPD provides information on the process that is required of anyone seeking to develop on garden land and infill sites, providing further information on how the relevant policies will be implemented, and emphasising the key criteria which will be considered in applications. This includes information such as amenity which is also contained within other documents. This does not mean that it should not be included here – the SPD brings together the key issues in one place to provide clarity and a robust approach.	None.
146	Figure 6 Elements of amenity	1947 / 1454 / 155 /	Objection: All considerations in Box 6 are already contained within existing policy and supplementary	Remove Box 6	The SPD includes information such as that on amenity which is also covered within other	None

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			memorandum. No value in repeating guidance which is already enshrined in local plan.		documents. This does not mean that it should not be included here – the SPD brings together the key issues in one place to provide clarity and a robust approach.	
147	Figure 6 Elements of amenity	1992 / 1457 / 54 /	Objection: The box should emphasise protection of amenity of nearby gardens.	Insert 'including gardens' so the first sentence of the box reads 'In considering the impact of garden land or other infill proposals on the amenities, including gardens, of existing and new residents..'	All of the issues identified in box 6 already relate to the enjoyment of gardens as well as homes. To add another reference here would create a rather clumsy and confusing sentence. It would also be unnecessary – the meaning is sufficiently clear.	None.
148	Chapter 4.1 Determining Applications	1975 / 1441 / 162 /	Objection: The process described in Section 4 of the draft SPD, should be and is happening in many cases where well qualified, experienced and responsible Architects and Design Consultants are appointed to develop projects. The fact is that of all the applications respondent sees and reviews, very few of them are prepared with any evidence of how the scheme was developed, and little reference to the context of the scheme; as such one would question whether or not the application should	Do not take a tick sheet approach.	The Council agrees that many applications suffer from poor information on how design decisions were made, and that Design and Access Statements are often of poor quality. The logical conclusion from this observation would be that an SPD which emphasises the need for a robust design process responding to character, and which gives information on what Design and Access Statements should contain, is a worthwhile addition. The SPD has an important role in emphasising what is required from applicants, both in	Make even more emphasis in Chapter 4 on the need for a robust design process, demonstrated by the applicant through their Design and Access Statement.

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			<p>even have been validated by the Local Authority. Since August 2006 Design and Access Statements have been required to support Applications which are predominantly of a nature similar to those being made on infill and garden sites, yet experience from the Panel shows that these documents are still not being given the weight or time that they should by many Design Consultants or Committee. It is reasonable to assume that Officers and Members of the Planning Committee read and take into account the contents of the Design and Access Statements that accompany the applications they are seeking to determine. These documents if properly prepared should explain the development of the scheme in the context of the site. Still frequently see developments for between 8 and 12 units accompanied by two page Design and Access Statements comprising very little contextual information, no indication of how the scheme has been developed and</p>		<p>terms of process and the information that needs to be provided with applications so that the quality of proposals and applications is improved. Far from promoting a tick-box approach, it promotes thoughtful consideration of character and appropriate response. Whilst this is clear within the document, perhaps this needs to be emphasised even more.</p>	

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			<p>no cross section information clearly demonstrating the impact it will have on the adjoining properties and surrounding areas. Officers already have the ability to request further information before progressing the application. It would appear that in requesting this draft SPD, committee are seeking to develop a tick sheet approach by which to judge this form of development; whereby, if the proposal takes the form of any of the examples given in the appendices attached to the draft SPD and identified as poor, they are able to refuse the scheme simply on these grounds.</p>			
149	Chapter 4.1 Determining Applications	1948 / 1454 / 155 /	<p>Objection: Pleased that the drafters of the SPD do not consider that the SPD is intended to stifle creativity in the design process. Worried it will do exactly that. Overly prescriptive. Box 7: Question C2 leaves a significant amount open to subjective opinion and it is likely that the Committee's determination of special character may well differ from officers' and applicants'.</p>	Amend questions.	<p>The SPD emphasises process and the importance of assessing and responding to character to justify design decisions through Design and Access Statements, rather than simply using pre-determined solutions Whilst this is clear within the document, perhaps this needs to be emphasised even more. In relation to C2 – the Design and Access statement will be important</p>	<p>Appendix 1. Question C5. Refer to the sensitivity of developing in rear gardens, and the fact that there is likely to be some change in character, and the need for careful design to ensure that this does not constitute harm. P42: Replace the term 'style neutral' with: The preferred approach is for style to respond to</p>

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			<p>Question C3 layout: Most of borough is laid out in grid format. The question indicates that development within rear gardens would detract from character of area and would not be acceptable. Question C4 as above. Question C5: Development of rear gardens within an environment where existing development is that of a frontage development will rarely if ever respect that character format. But new backland development can be successfully incorporated into such streets; the key element being appropriate and careful design layout and landscaping. SPD misses this point. Q7: Drafters have ignored the fact that much of that which is considered negative in terms of backland development can be undertaken without planning consent under the GDPO. Q13: This infers that where there is a predominant style it should be followed. Well designed schemes should not be prevented because they constitute a change in style. Q14: This will be read as requiring new</p>		<p>in analysing the character and assessing the contribution that landscape and natural features make to this. In relation to C3 - This question is about establishing the character of the area. Appendix 1 contains a series of questions which will assist applicants and others in establishing the character of an area, and a series of questions which focus on the impact of proposals. Qu3 does the former.C4 – the question does not indicate that development within rear gardens would be unacceptable. In relation to C5. The Council agrees that this may well represent some change in character. The key is whether this represents harm to that character and that will depend on the nature of the street and block, and the nature of the proposal. The Design and Access Statement will be important here. The Council agrees that this point should be made within the text. In relation to C7. The SPD relates to the development of</p>	<p>context and character- this can be in contemporary or historic style but it must be of high quality.</p>

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			<p>developments to constitute a pastiche of what already exists. This does not constitute good urban design and will be a backward step. Access and parking: Much of what is proposed can be undertaken without consent under provisions of GPDO. Play: Question P1: The town has numerous high quality parks and gardens which contribute to the feeling of openness.</p>		<p> dwellings within gardens and infill sites. The GDPO does not make allowance for the development of any secondary housing within existing gardens. In relation to C13. No. This question is about establishing the character of the area. Appendix 1 contains a series of questions which will assist applicants and others in establishing the character of an area, and a series of questions which focus on the impact of proposals. C13 does the former. In relation to C14: Pastiche is a term used to describe buildings which draw on elements of various different styles of architecture in their composition. This is not something the Council wishes to promote. The preferred approach is for style to respond to context and character- this can be in contemporary or historic style but it must be of high quality. Access and parking – This is not the case when it forms part of an application for development on garden land. In relation to question P1. The respondent's point is</p>	

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					unclear. Children's play needs to be accommodated in a variety of settings, including parks, private gardens, and in well designed areas, streets.	
150	Chapter 4.2 Determining Applications	1899 / 1400 / /	Objection: The second sentence appears to not make sense. Presumably the word "probably" needs to be removed.	Presumably the word "probably" needs to be removed.	The Council acknowledges that the sentence could be improved.	Replace the word 'probably.'
151	Chapter 4.2 Determining Applications	1873 / 1451 / 161 /	Objection: The wording of the second sentence needs to be looked at. It doesn't make sense in its current format.	Change wording.	The sentence is fairly straightforward. Without further detail from the respondent, it is not known why it is difficult to understand.	None.
152	Chapter 4.5 What matters	1820 / 505 / 76 /	Objection: Para 4.5 Taking committed proposals into account is one scenario to consider, but not the only one. Equally relevant is the scenario with none of these commitments taking place. Other scenarios will assume one or more of the commitments are constructed.	Taking committed proposals into account is one scenario to consider, but not the only one.	The Council takes the view that the starting point is to be as if those proposals have already been implemented, this provides the best estimate of what is likely to constitute the character of an area in the future, unless there are good reasons to assume otherwise.	None
153	Chapter 4.5 What matters	2003 / 1398 / /	General comment: Section 4.5 Current Planning Permissions: - It is important to consider what previous plans have been approved in the immediate location and which have yet to be built.	None	Comments are acknowledged. This is the approach that is taken.	None

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			This is an important factor in considering any new proposals.			
154	Figure 7 Factors affecting the determination of applications	1821 / 505 / 76 /	<p>Objection: Regarding Box 7 Where are these questions derived from? They are not necessarily the only questions that may be relevant to the determination of applications.</p> <p>The SPD uses the word 'complement' throughout in a number of differing contexts. These all need to be thoroughly checked to see if the meaning and relevance of the word is correct.</p>	Make clear that these are not the only relevant questions to the determination of applications. Check the word 'complement.'	The policy basis for the SPD sets up an approach based on character and amenity. Clearly other issues such as access and parking, water run-off and play will also be relevant to development on Garden land and infill development. The Chapter on Character and amenity identifies the key elements that make up character and amenity, and these are based on an understanding of urban design informed by Government guidance, and Government sponsored documentation as referred to in paragraph 3.4. As stated on page 27 of Appendix 1, the questions have been designed to set up a two stage process which will facilitate the preparation of Design and Access statements by applicants, and facilitate the consideration of applications by officers and members. This process first establishes the need to understand the character of an area, and second assists in asking	None

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					<p>questions about how the design of development will respond to that character. Agree that other questions will likely be asked in the determination of applications. It was never the intention to provide a comprehensive document covering every element that will be considered. There will be other issues, for example relevant to aspects of environmental sustainability that will also need to be considered. The use of the word complement has been checked.</p>	
155	Figure 7 Factors affecting the determination of applications	1874 / 1451 / 161 /	Objection: Regarding question C14,(page 21) need to be sure that any guidance doesn't prohibit well thought out and innovative design.	Ensure that any guidance doesn't prohibit well thought out and innovative design.	Chapter 4 par 4.2 makes it clear that the SPD is not intended to stifle creativity in the design process- quite the contrary. This is why the applicant is encouraged to undertake a robust design process, analysing the local character, and ensuring that the design responds accordingly, allowing the local authority to understand the justification for design decisions.	None.
156	Figure 7 Factors affecting the determination of applications	1993 / 1457 / 54 /	Objection: Page 21 Amenity Question A1. The phrase 'unacceptable harm' implies that some degree of harm is	Delete 'unacceptable' or reword.	Changes agreed.	Delete unacceptable.

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			perfectly acceptable and can be agreed and forced on to neighbours. The word 'unacceptable' should also be deleted from the Decision Chart on page 23 Question 4.			
157	Figure 7 Factors affecting the determination of applications	1994 / 1457 / 54 /	Objection: P20 last paragraph Enclosure Question C10 and C11. This should specifically mention traditional walls, and iron railings. These should be retained, and if such boundaries have to be punctured for entrances, the severed edges should be very carefully redesigned-many examples in conservation areas of poor aesthetic replacement and addition to boundary structures. Side and rear boundaries which consist of old walls should be retained or replaced/added in appropriate materials.	Q.10 Add 2nd sentence: 'particular note should be taken of old walls and railings, also hedges which can be typical of an area.' Q.11. Add second sentence: 'Old walls and railings need special consideration, not only at street boundary but also at sides and rear.'	The section on enclosure relates primarily to the way streets and places are defined and enclosed by buildings and landscaping. The questions should remain as they are because they cover all aspects of enclosure, however it would be useful to include a section under C11 in Appendix 1 on boundary treatments.	On page 40, under question C11 add reference to the need to take note of old walls and railings, both on the frontage, and to the sides and rear and existing hedges.
158	Chapter 4.8 What is expected of applicants	2004 / 1398 / /	General comment: Section 4.8 Applicants are encouraged to engage with neighbours in developing and designing their proposals. This process should be welcomed. However, it does allow the applicant to engage with only 1 person yet say	Adopt a process to involve residents associations or parish councils at an early stage in pre-application discussions	Agree that residents associations could usefully be consulted as representatives of neighbours; such associations provide a good opportunity for a more organised / strategic discussion locally than by	Page 22 box summarising what is expected of applicants: include reference to consultation with residents associations - CBC can provide contacts for known associations.

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			they have spoken with residents. A process should be adopted which involves Resident Associations or Parish Councils at an early stage in pre-application discussions.		engaging with neighbours only on an individual basis	
159	Plan Decision chart	1902 / 1400 / /	Objection: Before Question 1, the most logical question should be "Is planning consent required?"	Insert 'is planning consent required?' before Question 1. SPD to take account of permitted development.	This chart focuses on the process once it has been established that planning consent is required. This is a different issue and applies more to householder changes and extensions. It should be dealt with before reaching this stage. However, it is agreed that some might be confused. A better place to make the point is paragraph 4.7, which should note that anyone wishing to develop on garden land should first check with the planning authority as to whether planning consent is required.	Amend paragraph 4.7 to note that some changes to existing properties do not require planning consent and that applicants should first check with the planning authority to confirm whether planning consent is required.
160	Plan Decision chart	1875 / 1451 / 161 /	Objection: Before Question 1, the most logical question should be is planning consent required? This should be added as necessary. The document as a whole should also take account of permitted development.	Insert 'is planning consent required?' before Question 1. SPD to take account of permitted development.	This chart focuses on the process once it has been established that planning consent is required. This is a different issue and applies more to householder changes and extensions. It should be dealt with before reaching this stage. However, it is agreed that	Amend paragraph 4.7 to note that some changes to existing properties do not require planning consent and that applicants should first check with the planning authority to confirm whether planning consent is required.

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					some might be confused. A better place to make the point is paragraph 4.7, which should note that anyone wishing to develop on garden land should first check with the planning authority as to whether planning consent is required.	
161	Section Appendix 1: Factors affecting the determination of applications	1822 / 505 / 76 /	Objection: In certain cases pastiche can be the most appropriate form of development. Poor reproductions or poor detailing should be discouraged. The way the last paragraph on this page is worded may inhibit successful utilisation of certain forms of development which when done properly are of high quality and are often popular.	Reword the last paragraph on page 27	Pastiche is a term used to describe buildings which draw on elements of various different styles of architecture in their composition. This is not something the Council wishes to promote. The preferred approach is for style to respond to context and character- this can be contemporary or historic style but it must be of high quality.	Page 27: no changes. Page 42: Replace the term 'style neutral' with: The preferred approach is for style to respond to context and character- this can be in contemporary or historic style but it must be of high quality.
162	Section Appendix 1: Factors affecting the determination of applications	1824 / 505 / 76 /	Objection: Page 30 Under the heading Rear garden development the words 'of value' should be inserted after the words 'mature trees and hedges' on the second line.	Insert 'of value'.	The Council disagrees. This caveat is not necessary. Any exception would need to be justified through the Design and Access Statement.	None
163	Section Appendix 1: Factors affecting the determination of applications	1903 / 1400 / /	Objection: Appendices I question the wisdom of including specific cases particularly some of those chosen. If the cases chosen	Don't use cases or at least these specific cases.	The examples of relevant appeals were intended to illustrate specific points. For example the examples on pages 28 and 29 show how	None

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			<p>highlight the extent of the "problem" (in that if these are the worst examples that were approved due to the lack of this SPD) then the necessity for the SPD is seriously in question.</p> <p>25 to 28 Cowley Close: Understands that the council lost costs in this case and would query the use of this as an example.</p> <p>Blenheim Cottage: Don't understand the reason for inclusion of this case other than in some situations, fewer properties maybe acceptable? Four were refused, one was granted.</p>		<p>one site was judged to make a significant contribution to the local townscape quality, whilst another was not. They are intended to provide an insight into the decision making criteria used by inspectors, not to make judgements on whether these are good or bad examples of approved development.</p>	
164	Section Appendix 1: Factors affecting the determination of applications	1813 / 1441 / 158 /	<p>Objection: There are a number of good schemes that have been constructed on both former garden land and infill site in that have not been included with in the draft SPD.</p>	<p>Include these examples in SPD</p>	<p>Examples are used to illustrate specific points. Any further examples would need to do the same. Sufficient information to make changes has not been provided.</p>	None
165	Section Appendix 1: Factors affecting the determination of applications	1976 / 1441 / 162 /	<p>Objection: The diagrammatic layout examples that are included in the appendices of the report, are far too generic to offer any firm guidance, given that they cover most site layout approaches and appearances. It is not possible to comment on generic layouts and define</p>	<p>Remove or amend diagrammatic layout examples and examples of built schemes.</p>	<p>The SPD promotes a character responsive approach, and the examples should be seen within this context. The layout examples are indicative, and provide prospective applicants with information on what is likely to be acceptable (or otherwise) in</p>	None

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			<p>what is good or bad, when what makes it a good or bad layout will be heavily influenced by the context of the site. If these diagrams be included in any final SPD, very concerned they will effectively give Committee the ability to prevent any backland development no matter how appropriate or well designed; should it be of a similar format to any of those illustrated. With regards the examples of the built schemes included within the draft SPD, all of the schemes that have been photographed and referred to have been approved either at officer level, committee or appeal.</p>		<p>certain circumstances. This is perfectly legitimate. If an applicant carries out a thorough character analysis and can justify such an approach in a Design and Access Statement, then this will of course be considered on its merits. The SPD is rigorous in its desire to raise quality and promote a thorough, considered design approach.</p>	
166	Section Appendix 1: Factors affecting the determination of applications	1949 / 1454 / 155 /	<p>Objection: References to appeal decisions and short extracts from decision letters are grossly misleading and demonstrate cherry picking of Inspectors' comments. Respondent can supply an equal number of appeal decisions which have a contrary view to that set out within the appendices.</p>	<p>Remove or amend references to appeal decisions and decision letters.</p>	<p>The examples of relevant appeals are not misleading or cherry picked. They are intended to illustrate specific points. Looking at examples on pages 28 and 29. The issue is whether a rear garden can be of townscape significance (under the terms of policy GE2). The examples show how one site was judged to make a significant contribution to the local townscape quality,</p>	None.

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					whilst another was not – this provides a balanced approach, rather than one which cherry picks or seeks to restrict development. They are intended to provide an insight into the decision making criteria used by inspectors, not to make judgements on whether these are good or bad examples of approved development.	
167	Section Appendix 1: Factors affecting the determination of applications	1969 / 1456 / /	Objection: None of the plans show corner plots – need to address this	Include plans with corner plots	Comments are acknowledged. The use of examples will be reviewed and consideration will be given to including plans for corner plots	Consider including plans for corner plots
168	Part How the guidance works	1925 / 1399 / /	Objection: Pastiche has a place in some circumstances to avoid otherwise poor design or design forced to be different in order to avoid pastiche often happens.	That pastiche can have its place.	Pastiche is a term used to describe buildings which draw on elements of various different styles of architecture in their composition. This is not something the Council wishes to promote. The preferred approach is for style to respond to context and character- this can be contemporary or historic style but it must be of high quality.	No changes for page 27. Page 42: Replace the term 'style neutral' with: The preferred approach is for style to respond to context and character- this can be in contemporary or historic style but it must be of high quality.
169	Part Townscape and landscape significance	1796 / 371 / 69 /	Supporting statement: The Environment Agency welcomes that the SPD		Comments acknowledged.	None.

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			pays particular attention to biodiversity protection and enhancement. The SPD supports the protection of the existing species, by protecting existing trees and undertaking habitats surveys, and encouraging new planting (Appendix 1 of the report). This will have a positive impact on the public realm and natural environment within these urban areas.			
170	Part Townscape and landscape significance	1823 / 505 / 76 /	Objection: Under the heading Frontage development it should be recognised that there are occasions where taking out a section of a hedge may not be detrimental to the character of an area. The word 'normally' should be inserted between the words 'will not' and 'be permitted'.	The word 'normally' should be inserted between the words 'will not' and 'be permitted' in the paragraph headed Frontage Development.	The word normally is used to allow for the fact that there will always be exceptions. However exceptions are just that and would need to be very well justified through a thorough Design and Access Statement.	Insert "normally".
171	Part Townscape and landscape significance	2005 / 1398 / /	General comment: Appendix 1. C1. Townscape and landscape significance: - Important to consider cases where proposed structures in back gardens become visible from the public realm due to height and gaps in the frontage.	Changes requested are unclear.	Visibility resulting from height is unlikely to be acceptable, however visibility resulting from gaps is considered to be something which is a desirable element of good quality townscape. The document does consider these things.	None

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172	Part Townscape and landscape significance	2006 / 1398 / /	Objection: Regarding C2. Retain mature trees and hedges: This is important even if there are no TPOs in place. However something should be included to prevent or acknowledge the situation where applicants have wilfully destroyed trees and wildlife prior to submittal of their development plans.	Something should be included to prevent or acknowledge the situation where applicants have wilfully destroyed trees and wildlife prior to submittal of their development plans	Comments are acknowledged. This is not something the planning system is able to control.	None.
173	Part Townscape and landscape significance	1907 / 1399 / /	Objection: There is a typo - a 't' missing off the word statement on page 30.	Correct typo.	The typo will be corrected.	Correct typo.
174	Part Townscape and landscape significance	1904 / 1400 / /	Objection: Developers should be concerned that neighbours could use a biodiversity argument to try to frustrate or prevent acceptable and necessary development when there are no grounds to do so. Presumably a phase 1 habitat survey would only be required where they have been recorded sightings at the relevant records offices?	Unclear what change is being requested	The consideration of biodiversity issues is a legitimate issue that needs to be properly considered as part of the process of assessing any planning application for development on garden land and infill sites.	None
175	Part Townscape and landscape significance	1905 / 1400 / /	Objection: Paragraph 2 Presumably the words 'unless material considerations indicate otherwise' should be added to give the full context.	Amend to include 'unless material considerations indicate otherwise.'	This addition is unnecessary. This would mean that the document would read too much like policy, and SPD does not create policy but seeks to elaborate on existing policies (CP3 is most relevant here).	None

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176	Part Townscape and landscape significance	1906 / 1400 / /	Objection: Picture in the bottom corner of page 29 The retained hedge was actually removed and this is a new hedge, so query whether this is an accurate example?	Check accuracy of example.	The aim should be to retain boundary hedges wherever possible, if this is not possible then they should be reinstated. The photo illustrates a boundary hedge on the frontage of a new development and this illustrates the point satisfactorily.	Amend text to note that hedges should be retained wherever possible and otherwise reinstated.
177	Part Townscape and landscape significance	1876 / 1451 / 161 /	Objection: A phase 1 habitat survey would only be required where there have been recorded sightings?	Query need for a phase 1 habitat survey unless there have been recorded sightings.	Comments are acknowledged	None
178	Part Townscape and landscape significance	1877 / 1451 / 161 /	Objection: Page 30 bottom box There is a typo -'t' missing off the statement	Amend typo.	The typo will be amended.	Amend typo.
179	Part Townscape and landscape significance	1950 / 1454 / 155 /	Objection: Page 29 picture caption: The hedge was not retained but grubbed up and a new hedge planted.	Amend caption.	Caption should be amended.	Amend caption.
180	Part Townscape and landscape significance	1951 / 1454 / 155 /	Objection: On page 30 the reference to biodiversity is misleading insofar as the existence of protected species within gardens does not usually prohibit development. Ecological interest are protected by other primary legislation, thus repetition in the SPD serves no useful purpose.	Amend paragraph to clarify the above.	The consideration of biodiversity issues is a legitimate issue that needs to be properly considered as part of the process of assessing any planning application for development on garden land and infill sites. The council agrees that this does not normally prohibit development. The paragraph should be amended to make reference	In Appendix 1, page 29, make reference to the need for sensitive design and mitigation where gardens are judged to make an important contribution to biodiversity.

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					to the need for mitigation.	
181	Part Layout and development patterns	1825 / 505 / 76 /	Objection: Page 33 Question C5 The words 'visible from the public realm' should be inserted after the words 'back gardens' at the end of the first line. The word complementary is used here but its meaning is uncertain.	The words 'visible from the public realm' should be inserted after the words 'back gardens' at the end of the first line. The word complementary is used here but its meaning is uncertain.	If development is proposed in back gardens it will become part of the public realm – the question of visibility from the public realm is about the principle of whether rear gardens should be developed at all, not how development should be laid out once this principle is established. For clarity, complement does not mean imitate or reproduce blindly. The point is to undertake a character analysis and respond to this.	None
182	Part Layout and development patterns	1826 / 505 / 76 /	Objection: Page 35 Why will single tandem development normally be unacceptable? There are appeal decisions in the borough where the principle and detail of single dwellings have been supported by the Inspectorate.	Change wording?	This is unlikely to be a good design solution for two main reasons; a single house offers very limited opportunity for creating a place with character and the access, if shared with the existing property, will likely be an intrusive element for the occupiers of the frontage dwelling. The aim of the SPD is to raise the quality of what is built in the borough.	None
183	Part Layout and development patterns	2007 / 1398 / /	General comment: C3 Layout: - Density is an important factor in new infill developments. The idea of a Transition Zone should be required between areas of	The idea of a Transition Zone should be required between areas of coarser grain and those of finer grain.	This would be a rather complex tool to set up and administer, not least defining transition zones. In addition the definition of areas of higher and lower density	None

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			coarser grain and those of finer grain. This would overcome the approach whereby applicants are often keen to promote a higher density due to the existence of such areas close to the infill site, however the site itself sits in an area of lower density.		development (or intensification) within the urban area would be likely to constitute a change in policy, and SPD cannot set policy. An approach whereby the character of the area is assessed, and a scheme designed which responds to this, should take account of the grain of surrounding development, and this is the best way to ensure that schemes are appropriate in their context.	
184	Part Layout and development patterns	1927 / 1399 / /	Objection: It is dangerous to suggest that buildings on corner plots may be taller than other surrounding buildings and more substantial. Surveillance should be provided but without overlooking.	Do not suggest that buildings on corner plots may be taller than other surrounding buildings and more substantial. State that surveillance should be provided but without overlooking.	Buildings on corner plots are often taller and more substantial than others in their locality. Such buildings, if well designed, can provide landmarks, and serve to anchor surrounding development. Clearly such buildings must be sensitively designed, but this is the reason why an approach is recommended which focuses on an analysis of character and appropriate design response, and a Design and Access Statement which explains this process.	None
185	Part Layout and development patterns	1900 / 1400 / /	Objection: Box 7 Question C5 In the consultation it was	Unclear what change is being requested – that the layout of rear garden development is not	Page 28 notes that rear gardens that are not visible from the public realm are less likely to have an impact	None

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			considered that the public realm view was the main issue, if it could not be seen, there could not really be an issue.	important since it cannot be seen from the public realm?	on townscape character, and this was the subject of discussion at the Stakeholder workshop. However, once a decision has been made to develop on rear gardens, the new layout will then form part of the public realm since the rear garden area will have been opened up – these are two different issues.	
186	Part Layout and development patterns	1908 / 1400 / /	Objection: Page 32 The examples are over-prescriptive.	Amend example.	There are examples within the document of layouts which are likely to be detrimental to the established character of an area, This includes the three examples on page 32 which are shown in the context of local development patterns. It is not over prescriptive to state that this type of development in this context will not be acceptable. The Planning and Compulsory Purchase Act, 2004, Section 38 makes provision for exceptions.	None.
187	Part Layout and development patterns	1909 / 1400 / /	Objection: Paragraph 3 p35 There may be situations where buildings built on rear garden plots should not have visual connection to the existing street. Whilst this is accepted in some situations,	Make this less prescriptive.	There are good reasons why it is preferable for garden land and infill developments to have a visual connection to the street. Any exceptions should be fully justified through a character analysis	Make even more emphasis in Chapter 4 on the need for a robust design process, demonstrated by the applicant through their Design and Access

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			this is over prescriptive.		and a Design and Access Statement which explains the design decisions. This is not overly prescriptive. The Design and Access statement provides the means for justifying design decisions. Whilst this is clear within the document, perhaps this needs to be emphasised even more. It could also be noted within Appendix 1.	Statement.
188	Part Layout and development patterns	1910 / 1400 / /	Objection: Drawing at bottom of page 35 There maybe a situation where this is a good design solution particularly where the proportions of the back gardens are longer and leave the front buildings with enough garden to be acceptable and planning terms	Suggest that this might sometimes be a good design solution	The Council disagrees. This is unlikely to be a good design solution for two main reasons; a single house offers very limited opportunity for creating a place with character and the access, if shared with the existing property, will likely be an intrusive element for the occupiers of the frontage dwelling. The length of the garden is immaterial in this regard.	None
189	Part Layout and development patterns	1878 / 1451 / 161 /	Objection: Page 32: In some cases it could be argued that it is appropriate to build in front of an existing building line. This approach appears to be over prescriptive and such matters would normally be addressed through a Design and Access	Amend example.	This might be legitimately argued in certain circumstances (for example where it is appropriate to provide a pinch point). The Council agrees that the Design and Access Statement would provide the context for this decision.	None

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			Statement.		This is precisely why the SPD emphasises the importance of a process that follows that recommended for Design and Access statements, so that the quality of those statements is significantly improved, and so that they can assist in the negotiation process on individual applications. It is perfectly legitimate for the SPD to do this. The word normally is used to allow for the fact that there will always be exceptions. However exceptions are just that and would need to be very well justified through a thorough Design and Access Statement.	
190	Part Layout and development patterns	1952 / 1454 / 155 /	Objection: The three examples on page 32 do not necessarily provide a poor form of development. Simplistic diagrams risk being taken literally by officers and committee as precluding any form of development which appears to match simplistic sketch layout. Integrating a scheme into an existing frontage is far more complicated and requires great care and attention to detail. All three	Explain in text that the key will be to secure high standards of design, fenestration and landscaping.	There are examples within the document of layouts which are likely to be detrimental to the established character of an area, This includes the three examples on page 32 which are provided indicating key elements of that character. The Council agrees that positive examples should not be copied simplistically, and it is for this reason that the importance of a thorough design process responding	Make even more emphasis in Chapter 4 on the need for a robust design process, demonstrated by the applicant through their Design and Access Statement. Appendix 1 section on layout – note that the layouts provide examples. They should not simply be replicated in planning applications. Simply replicating the layout will not guarantee

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			of these built forms may be acceptable in certain circumstances. Inclusion of prescriptive sketches risks misinterpretation by officers and other decision makers.		to character is emphasised throughout the document. The Design and Access statement provides the means for justifying design decisions. Whilst this is clear within the document, perhaps this needs to be emphasised even more. It could also be noted within Appendix 1.	planning approval, rather a considered response to the individual character of each street and block is needed
191	Part Layout and development patterns	1953 / 1454 / 155 /	Objection: The example on page 33 of a corner plot is one of the worst schemes permitted in Cheltenham during the last few years. It is not a garden development but on a former petrol station. Remove.	Remove this example.	The example is not included to illustrate the merits or otherwise of the whole scheme, but to indicate that development on corner sites should include two primary frontages, with windows facing onto both streets. The picture does this. The fact that this was a petrol station is irrelevant since the SPD applies to infill sites as well as garden land development. However, the Council agrees that there are better examples of existing development within Cheltenham which turn corners and address both streets well.	Replace photograph with an example which better illustrates the point.
192	Part Layout and development patterns	1954 / 1454 / 155 /	Objection: The layout on the bottom of page 34 is very similar to that recently constructed in Cleeve View Road and a picture of that	Review layout.	Comments are acknowledged. The SPD is being produced as a tool to improve the quality of place making in Cheltenham	None.

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			development is on page 40. Problems with this form of layout come from over zealous interpretation of highways design standards and insistence upon very rigid forms of highway design. More imaginative highway designs are achievable and accepted by other authorities elsewhere in the country. Little difference between p34 layouts and those on many modern housing estates. An odd paradox.		beyond that which has been achieved in the past.	
193	Part Layout and development patterns	1955 / 1454 / 155 /	Objection: Why does the SPD seek to prohibit all tandem development? With good quality design upon the right sized plot this type of development frequently provides a useful form of additional housing.	Do not prohibit all tandem development.	This is unlikely to be a good design solution for two main reasons; a single house offers very limited opportunity for creating a place with character and developing sense of place within a design, and the access, if shared with the existing property, will likely be an intrusive element for the occupiers of the frontage dwelling. It is preferable to seek to achieve larger sites where proper place making principles can be pursued	None.
194	Part Layout and development patterns	1956 / 1454 / 155 /	Objection: Page 38 flats within Moorend Road are irrelevant- they were built before the surrounding two	Remove example.	Comments are acknowledged.	Remove example.

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			storey housing. This demonstrates that the drafter lacks understanding of how the town has developed over time.			
195	Part Layout and development patterns	1970 / 1456 / /	Objection: Page 35: Tandem development is always unacceptable and the word 'normally' should be taken out.	Remove the word 'normally' in relation to tandem development on page 35	The word normally is used to allow for the fact that there will always be exceptions. However exceptions are just that and would need to be very well justified through a thorough Design and Access Statement.	None.
196	Plan Figure ground plan	2022 / 505 / 76 /	Objection: Page 32 The paragraph describing the second of the layouts should include an indication of the catchment within which the dominant pattern should be assessed. In addition, the word 'materially' should be inserted after the words 'proposals which' on the 4th line. The terraced block depicted in the third layout could be acceptable, subject to external detailing and treatment of its curtilage. It is misleading to say that it is unlikely to be acceptable.	The paragraph describing the second of the layouts should include an indication of the catchment within which the dominant pattern should be assessed. In addition, the word 'materially' should be inserted after the words 'proposals which' on the 4th line. Change the words 'unlikely to be acceptable' in the text describing the terraced block depicted in the third layout.	This is something that a character analysis of the area will reveal, but generally the pattern in the street, or section of a street with a similar style, will be the area of which to take account. Insert 'In a street where... at the beginning of the sentence.'	Insert 'In a street where... at the beginning of the sentence.'
197	Plan Figure ground plan	1928 / 1399 / /	Objection: The plans on page 34 look like overdevelopment. They should be redrawn to be	Plans should be redrawn to be more in keeping with the existing- with the backland unit numbers	The plans on page 34 are not considered to be over development, However the new buildings shown are all	Replace two plans with semi-detached properties.

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			more in keeping with the existing- with the backland unit numbers reduced.	reduced.	of a similar size. It would be useful to show more variety in terms of the size and form of new buildings (e.g. some semi-detached properties) and one of the layouts could be amended to indicate other approaches which would be equally acceptable	
198	Plan Figure ground plan	2023 / 1399 / /	Objection: Diagrams on pp 34 and 35 indicate far too many units in relation to the surrounding 'grain' of the existing houses and that this should be remedied for the final version.	Remedy diagrams in the final version so that they don't show so many units.	The plans are not considered to be over development, However the new buildings shown are all of a similar size. It would be useful to show more variety in terms of the size and form of new buildings (e.g. some semi-detached properties) and one of the layouts could be amended to indicate other approaches which would be equally acceptable	Replace two plans with semi-detached properties.
199	Plan Figure ground plan	1967 / 1455 / /	Objection: One glaring item of total nonsense on page 35. The statement at the bottom of the page next to an example of a small dwelling at the rear of a generous garden says that a 'single dwelling will not normally be accepted. Clusters of two or more dwellings are more likely to create their own sense of identity or place than single dwellings.' It also refers to	Remove this reference to a single dwelling will not normally be accepted.'	This is unlikely to be a good design solution for two main reasons; a single house offers very limited opportunity for creating a place with character and developing sense of place within a design, and the access, if shared with the existing property, will likely be an intrusive element for the occupiers of the frontage dwelling. It is preferable to seek to achieve larger sites	None

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			the 'security on such small sites' which the respondent does not understand. No neighbour would prefer a number of dwellings to just one. This appears to be pretentious nonsense. If the Council adopts such a policy it will be setting itself up to ridicule and even more unable to meet new building targets. Such a policy could be viewed as nimby.		where proper place making principles can be pursued.	
200	Summary Relevant appeal: Land at Queenswood, Blacksmiths Lane	2026 / 1400 / /	Objection: On page 32 the use of Queenswood as an example is questioned. Three similar buildings have since been built.	Remove example.	The example is included to indicate a specific point- that care should be taken to ensure that dwellings are not located too closely to one another as this can create a visually cramped form of development. Of course, the example relates to a dwelling in a specific context, but the point is valid. The relative merits of what was subsequently approved are not really relevant- the important point is to illustrate the reasoning used by inspectors in such matters.	None.
201	Summary What an application / Design and Access Statement needs to show	1929 / 1399 / /	Objection: Bullet point 5 on page 35 should say that all proposals should be accompanied by a building for life assessment and not just those for sites	Bullet point 5 on page 35 should say that all proposals should be accompanied by a building for life assessment and not just	The current Government requirement is for Building for life assessments for sites comprising 10 or more units. The focus at present for smaller sites should be on	None

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			comprising 10 or more units. There is no excuse for allowing inaccessible buildings.	those for sites comprising 10 or more units.	improving the design quality of schemes through use of Design and Access Statements.	
202	Part Activity	1827 / 505 / 76 /	Objection: Page 36 The section promoting back gardens facing back gardens contains a number of requirements that suggest anything other than 'Estate development' will be inappropriate. This is surely a retrograde step and other acceptable design solutions can assist in ensuring privacy and/or limit noise disturbance.	Amend section to include other acceptable design solutions.	Not sure what the respondent means by 'estate development', the example on page 35 is more likely to promote a mews style development. The important point is that streets or courtyards where front doors face onto back walls or fences, does not represent the best approach in place making. The council is seeking to raise the design standards of Garden land and infill development to a standard worthy of Cheltenham. The Council agrees that these are to be used as examples and should not be slavishly followed – this would be unlikely to deliver development that responds to the character of the locality. The important point is that a process should be followed whereby the applicant carries out a character analysis, and responds to this in the design, setting out the justification for decisions in	Make even more emphasis in Chapter 4 on the need for a robust design process, demonstrated by the applicant through their Design and Access Statement. Appendix 1 section on layout – note that the layouts provide examples. They should not simply be replicated in planning applications as this would not deliver development that responds to the character of the specific area. Simply replicating the layout will not guarantee planning approval, rather a considered response to the individual character of each street and block is needed.

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					the Design and Access Statement.	
203	Part Built form	1803 / 831 / /	General comment: The respondent emphasises the importance of assessing the effect a proposed development could have on the character of the immediate surrounding area and the changed outlook for neighbouring properties.	None	Comments are acknowledged. This is covered by the document.	None
204	Part Built form	1911 / 1400 / /	Objection: Page 38 Is this example of high bulky buildings dominating entirely accurate? The building highlighted was built before many of the surrounding properties and therefore the argument is almost the reverse? Query use of this as an example.	Review the example.	Comments are acknowledged.	Remove the example.
205	Summary Relevant Appeal: 10 Hillview Road	1912 / 1400 / /	Objection: 10 Hillview Road The Council lost costs in the first appeal due to unreasonable behaviour and the quotation is very selective. In the second appeal, the inspector noted the relevance of permitted development rights. The relevance of permitted development rights in relation to building in rear gardens is not mentioned in the SPD, this could be misleading to	Amend quotation and highlight relevance of permitted development rights in relation to building in rear gardens.	The example is included to indicate a specific point. The issue of whether a building is appropriate in its context by reason of its scale and mass is the only relevant point here. The important point is to illustrate the reasoning used by inspectors in such matters. In order to clarify, although the appeal was dismissed, there were other points on which the inspector disagreed with the Council.	None.

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			applicants who are not professionally advised.		Partial costs were awarded against the Council in relation to a separate point- that of overshadowing and right to light. However, the outcome of the appeal, decisions on costs or any subsequent appeals on different schemes are not actually relevant to the point about scale and mass.	
206	Part Enclosure	1930 / 1399 / /	Objection: The caption does not explain whether what is described is good or bad that a building sitting forward on the plot and combined with its height, increases the level of enclosure, creating a pinch point in the street scene.	Clarify the merits or otherwise of what is described.	The photograph in question has a large 'tick' mark on it, and this is considered to be sufficient to indicate that the use of a building to create a pinch point in the street can be a positive thing.	None.
207	Part Enclosure	1931 / 1399 / /	Objection: This image should not be used here. The effect of the rear as seen from pre-existing properties will not be good.	Remove image.	The photograph is intended to illustrate the level of enclosure created within the courtyard area. The effect from the rear of such layouts will depend on the size of the plot and the location of neighbouring buildings.	None.
208	Part Enclosure	1913 / 1400 / /	Objection: Page 39 bottom picture. It can be appropriate in terms of design to have a larger prominent building marking a corner. This is not the best designed development and would	Delete example	The example is intended to illustrate the use of both height and variation in layout / building line to create a pinch point in the street scene. The Council agrees that this example	Replace the example with a sketch.

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			question whether it is a shining example to be replicated?		does not illustrate the point very well. It should be replaced with a sketch which better illustrates the point.	
209	Part Enclosure	1914 / 1400 / /	Objection: Page 40 photos 2 and 3 Understand that the road (photo 2) was a requirement of Highways Authority. In the case of photo 3, this scheme was allowed at appeal. Again query the use of these examples.	Check and amend example.	Comments are acknowledged. The SPD is being produced as a tool to improve the quality of place making in Cheltenham beyond that which has been achieved in the past.	None
210	Part Enclosure	1957 / 1454 / 155 /	Objection: On page 40 the centre picture is of Cleeve View Road which was approved without major objection by the Council. Much of the scheme's issues could have been addressed by a more relaxed approach to highway design.	refer to highways design here.	Comments are acknowledged. The SPD is being produced as a tool to improve the quality of place making in Cheltenham beyond that which has been achieved in the past. The means by which a scheme was permitted (by appeal, by officers or by members) does not affect the merits or otherwise of different elements of the design scheme.	None.
211	Part Enclosure	1996 / 1457 / 54 /	Objection: P39 Enclosure Question C10. Add this sentence, probably immediately after 'trees and vegetation' in line 8 of 'Explanation': 'In some streets in Cheltenham including back lanes, a	P39 Enclosure Question C10. Add this sentence, probably immediately after 'trees and vegetation' in line 8 of 'Explanation': 'In some streets in Cheltenham including back lanes, a sense of	Comments acknowledged; the sentence should be added.	Add this sentence immediately after 'trees and vegetation' in line 8 of 'explanation': 'In some streets in Cheltenham including back lanes, a sense of enclosure is given by high boundary

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			sense of enclosure is given by high boundary walls which are an essential part of character.'	enclosure is given by high boundary walls which are an essential part of character.'		walls.'
212	Part Enclosure	2009 / 1457 / 54 /	Objection: P39 Enclosure Question C10. Add this sentence, probably immediately after 'trees and vegetation.' in line 8 of 'Explanation': 'In some streets in Cheltenham including back lanes, a sense of enclosure is given by high boundary walls which are an essential part of the character.'	P39 Enclosure Question C10. Add this sentence, probably immediately after 'trees and vegetation.' in line 8 of 'Explanation': 'In some streets in Cheltenham including back lanes, a sense of enclosure is given by high boundary walls which are an essential part of the character.'	Comments acknowledged, the sentence should be added.	Add this sentence, immediately after 'trees and vegetation.' in line 8 of 'Explanation': 'In some streets in Cheltenham including back lanes, a sense of enclosure is given by high boundary walls.'
213	Part Topography	1932 / 1399 / /	Objection: The first image on page 41 is not enhancing and does not follow any of the other guidance in the SPD. The image should not be used as a good example. The sentence beginning 'on hillside or sloping sites' should include the phrase 'in areas of mixed character.' The last two paragraphs should be swapped around.	The image should be removed and changes made to the text.	The Council is of the opinion that, whilst topography is an important element of character in general terms, it generally has less prominence in Cheltenham since much of the town is relatively flat. This section could be removed and mention made of the need to respect topography in the section on townscape and landscape significance	Remove the section on topography and incorporate key principles into the section on townscape and landscape significance.
214	Part Topography	1958 / 1454 / 155 /	Objection: The pictures on page 41 do not resemble anything in Cheltenham and are not relevant.	remove pictures on p41	Comments are acknowledged. Whilst topography is an important element of character in general terms, it generally	Remove the section on topography and incorporate key principles into the section on townscape

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					has less prominence in Cheltenham since much of the town is relatively flat. This section could be removed and mention made of the need to respect topography within the section on townscape and landscape significance.	and landscape significance.
215	Part Age / Architectural style	1915 / 1400 / /	Objection: Page 43 The requirements for what is in an application are defined in law and Planning Policy Statements, additional information may not be required if the scheme is appropriate.	This information may not be required in Design and Access Statements	The Council disagrees. This and other information demonstrating that the applicant has analysed the character and context of the local area, is precisely the type of information that should be provided as part of Design and Access Statements. Section 42 of the 2004 Planning and Compulsory Purchase Act requires that Design and Access Statements be submitted as part of applications for planning permission. Circular 01/06 (DCLG) elaborates, and states that ' a major part of a design and access statement is the explanation of how local context has influenced the design'. The purpose is to allow developers to demonstrate their commitment to good design and accessibility, and	None.

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					to allow Local Planning Authorities to better understand the analysis which has underpinned the design and how this has influenced the development of the scheme.	
216	Part Age / Architectural style	1846 / 1446 / 159 /	Objection: The suggestion of 'style' neutral development is of concern. Cheltenham has a varied style throughout its parishes. To suggest that all development should not be designed to enhance its context is fundamentally wrong.	Remove the reference to 'style neutral' development on page 42.	This term has not been used to suggest that development should not enhance its context. The Council is of the view that pastiche development is not the best way to enhance the character of an area with strong architectural style. The preferred approach is for style to respond to context and character- this can be in contemporary or historic style but it must be of high quality. The Council agrees that this could be clarified.	Replace the term 'style neutral' with: The preferred approach is for style to respond to context and character- this can be in contemporary or historic style but it must be of high quality.
217	Part Age / Architectural style	1959 / 1454 / 155 /	Objection: On page 42 the photograph at the bottom is of the recently constructed in Cleeve View Road which was approved by officers without objection.	Remove example	The caption refers to only one element of the design- the frontage development which does not sit easily with other houses in the street. Whilst officers may have approved the development, it still efficiently illustrates where a small element of the design may still not work. The SPD is being produced as a tool to improve the quality of place	None

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					making in Cheltenham beyond that which has been achieved in the past.	
218	Part Amenity	1828 / 505 / 76 /	Objection: Page 44 Numerical standards have their place but it should be noted that careful design rather than a blanket application of numerical standards can often address concerns such as privacy or amenity.	Text should note that careful design rather than a blanket application of numerical standards can often address concerns such as privacy or amenity.	Comments are acknowledged. The wording of the second paragraph on page 45 can be amended to refer to the need for careful design.	Note that the numerical standards are a guide, and that careful design, justified in a Design and Access Statement will be required.
219	Part Amenity	1829 / 505 / 76 /	Objection: Page 45 The paragraph above Question A2 should at the end read 'may be more appropriate' rather than 'will be more appropriate'.	Change wording in paragraph before Q A2 to read 'may be more appropriate' rather than 'will be more appropriate'	Comments are acknowledged.	Replace 'will' with 'may.'
220	Part Amenity	1934 / 1399 / /	Objection: Overlooking can be minimised not with 'high level windows' as stated on page 45 but with sills above eye level. The text in the fourth paragraph on this page should state that no new building will be permitted within 2m of any existing site boundary. If the new building doesn't fit the plot with at least 2m to the boundary then this is automatically over development.	Overlooking can be minimised not with 'high level windows' as stated on page 45 but with sills above eye level and the text should be changed to say this. The text in the fourth paragraph on this page should state that no new building will be permitted within 2m of any existing site boundary.	A 2 metre rule appears to be an arbitrary measurement, and bears no relation to the Council's existing policy or practice. There are existing measurements used in relation to the location of windows, and these are more rigorous than that suggested. The key is to follow a robust process in designing new development that responds to an analysis of character. Sills above eye level can also minimise overlooking.	None
221	Part Amenity	1916 / 1400 / /	Objection: Page 44 This is an example of a poor	Unclear what is being requested	The examples are used to illustrate specific points, and	None.

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			development but it was recommended for approval by council officers?		are not intended to act as a judgement on whether an application should or should not have been approved – our collective understanding of what constitutes good design is always evolving, and there will always been examples that, with hindsight, all concerned feel could have been improved. This is precisely the reason why the Council feels the need to produce an SPD.	
222	Part Amenity	1960 / 1454 / 155 /	Supporting statement: On page 44 the photographs show a tandem site in Libertus Road which is described as a poor example. The respondent considers this the only example which is wholly inappropriate, excessively large and poorly related to the existing built form. The scheme was supported by officers approved at Planning Committee notwithstanding the fact that the Civic Society and Architects Panel objected to the development. Policies were available then and remain in force now which would legitimately have allowed officers to have		Comments are acknowledged. The SPD is being produced as a tool to improve the quality of place making in Cheltenham beyond that which has been achieved in the past. The Council draws the opposite conclusions from these arguments. If the current process is failing to ensure design quality and resist inappropriate development, then an SPD which explains the existing policies, and provides a clear, consistent and robust framework evident to all stakeholders, is precisely what is needed.	None.

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			recommended refusal of that application on design grounds.			
223	Part Amenity	1971 / 1456 / /	Objection: The social dimension of back gardens needs to be explained more – enjoyment of a group of existing gardens together – more about people. This could be emphasised more in the amenity section.	Emphasise the social dimension of back gardens more in the amenity section.	Emphasise the social dimension of back gardens more in the amenity section.	Emphasise the social dimension of back gardens more in the amenity section.
224	Part Access and Parking	1837 / 154 / 44 /	Objection: The residents' association particularly welcomes the requirement that "Provision of car parking should form part of the design of the overall scheme and should not be super-imposed later" (page 46) This should be extended to provide that, in streets that are already under severe pressure of demand for vehicle parking, the developer should be required to provide off-street parking, where this can be achieved in a way that is consistent with the townscape disciplines stated elsewhere in the document. This view supports the association's reaction, last year, to the Review of the Central Conservation Area.	The requirement that "Provision of car parking should form part of the design of the overall scheme and should not be super-imposed later" (page 46) should be extended to provide that, in streets that are already under severe pressure of demand for vehicle parking, the developer should be required to provide off-street parking, where this can be achieved in a way that is consistent with the townscape disciplines stated elsewhere in the document.	The Council agrees that development on garden land and infill sites should make provision for the car parking generated on that site.	Amend the section on Access and parking to require that schemes should make provision for their car parking needs.

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225	Part Access and Parking	2021 / 214 / 61 /	Objection: Take the 'Streets for All' Manual approach to creating new access drives to development in the historic environment.	Take the 'Streets for All' Manual approach to creating new access drives to development in the historic environment.	Comments are acknowledged. The Council agrees that it would be useful to refer to the principles for the treatment of historic street surfaces when creating new access drives in the historic environment.	Make reference to the 'Streets For All' guidance in section on Access and Parking.
226	Part Access and Parking	1917 / 1400 / /	Objection: Page 47 The scheme shown was approved by the inspector who awarded costs against the council. Query the use of this example.	Possibly delete this example.	The overall scheme is not being commented upon here. The photograph illustrates the specific point that there is no clear division between the access to the new property and the garden of the existing. It is confusing and intrusive. Different elements of the same scheme have been used as a positive example on pages 30 and page 43.	None.
227	Part Access and Parking	1961 / 1454 / 155 /	General comment: On page 46 the bottom picture is of a recently completed development where the lack of vegetation could have been dealt with by the Council through satisfactory landscaping conditions. The issue is not the lack of a SPD but lack of care and attention by officers over conditions. The application was approved under delegated authority and thus appears to be an officer	Unclear what change is being requested	The Council draws the opposite conclusions from these arguments. If the current process is failing to ensure design quality and resist inappropriate development, then an SPD which explains the existing policies, and provides a clear, consistent and robust framework evident to all stakeholders, is precisely what is needed.	None

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			failing rather than the lack of appropriate policy which has led to poor development of this site.			
228	Part Access and Parking	1962 / 1454 / 155 /	Objection: The top picture on page 47 is Cowley Close, a scheme which was allowed at appeal. The Appeal Inspector considered the access arrangement with the existing property wholly satisfactory. The original consent was not refused on grounds of unsatisfactory relationship with the existing property. The SPD seems to be inventing issues which have not been raised as important considerations either by the Council or Appeal Inspectors.	Remove picture	The SPD is not inventing issues. The process has provided the opportunity to review the design quality of developments which have been approved in the past, by officers, members or at appeal. Just because a negative design element has not been picked up in the past, does not mean that this cannot be commented upon now. The SPD is being produced as a tool to improve the quality of design and place making in Cheltenham beyond that which has been achieved in the past.	None
229	Part Play	1830 / 505 / 76 /	Objection: Providing opportunities for play may be appropriate in some circumstances, but not all.	Amend text to say that providing opportunities for play may be appropriate in some circumstances, but not all.	Accommodating play is important. This does not necessarily mean providing play areas, but designing streets, shared space and amenity spaces to provide a canvas for play – this allows for robust designs that can respond to whoever is living there. Clearly sheltered housing will not need to accommodate play, but this would be addressed through	None

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					individual applications.	
230	Part Play	1854 / 1447 / 153 /	Objection: The respondent has a commitment to implement the NICE guidance on 'Promoting and creating built environments that encourage and support physical activity (PH008).' The guidance refers to improving active travel and active play. The respondent would like the SPD to incorporate the recommendations of the NICE Guidance and its comments so they can be implemented.	The respondent would like the SPD to incorporate the recommendations of the NICE Guidance and its comments so they can be implemented.	The SPD already highlights the importance of play and walking routes. However, it should make a reference to the NICE Guidance	The SPD should make a reference to the NICE Guidance in the play section. Make a reference to layouts increasing propensity to walk and cycle.
231	Part Water run-off	1797 / 371 / 69 /	Supporting statement: The Agency supports the approach in relation to water run-off for garden and infill land. It appreciates that this issue is partly covered by national planning policy 25: Development and Flood Risk (PPS25) and will be also included in the Council's Core Strategy.		Comments acknowledged.	None
232	Part Water run-off	1798 / 371 / 69 /	Objection: PPS25 advises that a Flood Risk Assessment (FRA) should be undertaken including surface water assessment if the site is in flood zone 1 (low probability of flooding	The SPD should specify that a Flood Risk Assessment (FRA) should be undertaken including surface water assessment if the site is in flood zone 1 (low	The Council agrees that the SPD should specify that a FRA should be undertaken as suggested.	Specify that FRA should be undertaken, including surface water assessment if the site is in flood zone 1 and over 1 hectare. Request that FRA is undertaken

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			<p>occurring annually) when the site is over 1 hectare. Garden or infill land are usually smaller in scale and therefore the SPD can specify this in order to encourage the developers to reduce run-off when increasing the hard standing especially by using SuDS features on the site.</p> <p>Also PPS25 does not cover sites next to ordinary watercourses or smaller scale main rivers where flood zone modelling is not available. Cheltenham area does lack flood zone modelling in some areas. The Agency recommends that the SPD requires that a FRA is undertaken in these particular cases.</p>	<p>probability of flooding occurring annually) and over 1 hectare. This in order to encourage the developers to reduce run-off when increasing the hard standing especially by using SuDS features on the site. The SPD should require that a FRA is undertaken where sites are next to ordinary watercourses or smaller scale main rivers where flood zone modelling is unavailable.</p>		<p>where sites are next to ordinary watercourses or smaller scale main rivers where flood zone modelling is unavailable</p>
233	Part Water run-off	1858 / 1450 / /	<p>Objection: Very surprised to see hardly any detail on the risk of water run-off and flooding as a result of new developments on garden land. Considering the massive disruption and distress flooding causes, and its possible effect on the value of property, more consideration should be given to this point.</p>	<p>More consideration should be given to water run off and flooding as a result of new developments on garden land.</p>	<p>The SPD addresses water run off and flooding in its section on Water Run-Off on p.48. The Council's Strategic Flood Risk Assessment seeks to achieve a 20% reduction of peak discharges/volumes from an y existing brownfield site where an existing positive drainage system, has been identified. The draft SPD</p>	None.

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					explains that this should be seen as a target, since garden land is less likely to be hard landscaped. As a minimum there should be no increase in peak /discharges/volumes. The Council's SPG 'Sustainable Drainage Systems' provides further information on how this can be achieved.	
234	Section Appendix 3: Areas of similar character	1935 / 1399 / /	Objection: The second bullet point on page 52 should state that: 'This area ..had a long tradition of infilling,' rather than 'has' because otherwise it offers an invitation to continue.	Amend bullet point.	Comments are acknowledged. The fact is that this is a historical process which has continued.	None.
235	Section Appendix 3: Areas of similar character	1946 / 1454 / 155 /	Objection: The broad brush character assessment of the town in Appendix 3 is misleading and is of no beneficial use. It is of limited value due to the range of property types and styles found in those areas. Paragraph 3.12 in the chapter on character supports this view.	Remove Appendix 3.	The character assessment is not misleading. It is of limited value but does provide a useful starting point for locally specific character assessments.	None