

<b>APPLICATION NO: 13/01483/FUL</b>		<b>OFFICER: Mrs Emma Pickernell</b>	
<b>DATE REGISTERED:</b> 29th August 2013		<b>DATE OF EXPIRY :</b> 24th October 2013	
<b>WARD:</b> Battledown		<b>PARISH:</b> NONE	
<b>APPLICANT:</b>	Mr Hodgkinson		
<b>LOCATION:</b>	Downside, Battledown Approach, Cheltenham		
<b>PROPOSAL:</b>	Demolition of existing single storey side and rear extension, erection of two storey extensions to the side and rear, single storey extensions to the front and rear (revised plans)		

## REPRESENTATIONS

Number of contributors	<b>8</b>
Number of objections	<b>7</b>
Number of representations	<b>1</b>
Number of supporting	<b>0</b>

Glevum  
 Battledown Approach  
 Cheltenham  
 Gloucestershire  
 GL52 6QZ

**Comments:** 21st September 2013

We are deeply concerned at the prospect of this application being approved. The impact on the immediate and other neighbours would be dramatic, with a loss of privacy from such an overbearing extension, along with a significant reduction of natural light, which would impact severely on their quality of life.

Battledown Approach is a quiet tree lined avenue comprising mainly mid sized family homes, and the virtual doubling of the size of the house in question would be completely inappropriate, and oppressive to all of the residents living nearby.

We ask that this ill-judged application be rejected in its entirety.

**Comments:** 23rd October 2013

I have noticed that the application has been amended, but given that the changes are quite minor my previous comments still stand - I still feel strongly that the work planned is inappropriate for the size of the plot, and would adversely affect not only the neighbours who live in the immediate proximity, but also the character of the road. I therefore wish my objection to be noted and the application to be rejected in its entirety

Hillview  
 Battledown Approach  
 Cheltenham  
 Gloucestershire  
 GL52 6RE

**Comments:** 30th September 2013

Letter attached.

**Comments:** 25th October 2013

I have looked at the revised plans for this project. They are a small step in the right direction but do not go far enough to alter my views as expressed in my recent letter.

My wife and I are particularly worried at the dangerous situation created in Battledown Approach during school collection times. Other major works carried out recently in this area have been to houses where off-road parking for lorries is available on private drives.

South Winds  
Battledown Approach  
Cheltenham  
Gloucestershire  
GL52 6RE

**Comments:** 20th September 2013

I consider this application to be over development of the house on a site that is too small to accommodate it. There are 5 plus bedroom houses in the road but they sit in sites that are concomitant to their size. Additionally they have sufficient off road parking in relation to the possible number of occupants.

This end of Battledown Approach is already impossible to park in twice a day due to children being dropped off/collected from the school opposite to the proposed development. Our house (also opposite the school) is regularly inaccessible due to cars parking across the drive. Additional cars will only make it worse. Residents who live further into Battledown regularly speed down the hill (which has no traffic calming measures); further parked cars can only mean that it will be just a matter of time before a horrible accident occurs.

**Comments:** 21st October 2013

The revised plans do not look substantially different to the original plans. Therefore I still consider the proposed development to overbearing for the existing plot.

I also note that no further provision has been included for parking - a 5 bedroom house needs parking for at least 3 cars, there is barely room for 2 at present without any extensions to the front. I therefore fail to see how 3 cars could be accommodated.

People who are unaware of the twice daily congestion/road block/carnage outside the school opposite to the property need only visit at school dropping off and collecting time. Further on road parking by residents can only make it worse.

Waverley  
Battledown Approach  
Cheltenham  
Gloucestershire  
GL52 6RE

**Comments:** 27th September 2013

Letter attached.

**Comments:** 24th October 2013

Letter attached.

38 Leckhampton Road  
Cheltenham  
Gloucestershire  
GL53 0BB

**Comments:** 27th September 2013

This proposed extension would I think result in a house quite out of keeping with other properties in Battledown Approach. Its size and height would make it stand out in an ugly way and be very overbearing especially for the neighbours. This is a beautiful, wide, tree-lined road, sloping down from the Battledown Estate, with fine views, hedges and other sensitive planting fronting the various houses. The back of the property in question gives onto a large public green space adding to the rural feel of this location. The proposed extension would block light from the neighbours and in my view spoil a fine residential road.

**Comments:** 22nd October 2013

The revised application here seems little changed from the original. I still think it would be most detrimental to the immediate neighbours and would spoil the character of a very attractive road. This could set a precedent for other undesirable structures, especially in a road with a large primary school which surely also needs to be considered.

4 Battledown Approach  
Cheltenham  
Gloucestershire  
GL52 6QZ

**Comments:** 26th September 2013

The proposed extension to Downside would virtually double the size of the existing house which would shadow the houses either side of it. This is a pretty tree lined road and having an extension of this size in this location would be very over bearing and set a precedent for future applications in the area.

[REDACTED]  
**Hillview, Battledown Approach  
Cheltenham, Gloucestershire GL52 6RE**  
[REDACTED]

27 September, 2013

Mrs Emma Pickernell  
Development Services  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

Environment Group		Council	
REC'D	30 SEP 2013		
Type of Response	Type of Response	File Ref.	
Name of Respondent			

Dear Mrs Pickernell,

***Planning Application Downside Battledown Approach***

*Further to our recent telephone conversation, we have now had the chance to study the plans for the proposed redevelopment of Downside. Thank you for agreeing to extend the original deadline for comments.*

*The scope of the changes proposed have come as quite a surprise to us as it appears that the house is being nearly doubled in size. However we live uphill from Downside and are separated both by our rear access pathway and by the electricity company's access path to their substation. This combined with the screening of our boundary by a number of mature trees means that we are unlikely to be effected greatly by the proposed changes.*

*However there is also the effect the proposed change would have both on Battledown Approach as a road and on our neighbours who live downhill from Downside. On both of these aspects we have severe reservation as to the wisdom of the proposed development.*

*Downside is one of a development of three homes built in the 1950's. These homes are very similar in size and design creating a tenuous link between them so that they form an entity within Battledown Approach; Downside is the upper of the three being further up the hill. The expansion of Downside so that it fills its plot more or less completely*

*across the whole of its road access, together with the extension being built with new bricks and tiles means that this unity would be destroyed.*

*We are also worried about the impact of this proposed development on our neighbours at Waverley on the other side of Downside. At present they share a rear building line with Downside, so from their living rooms they are able to enjoy a panoramic view of gardens and trees spanning 180 degrees. If the new development goes ahead a large part of this view will be replaced by a two story plain brick wall. All of these Battledown Approach houses back in a south westerly direction which also means that sunlight would reach Waverly much later in the day if this change went ahead.*

*Finally there is another aspect of the proposed development that worries us greatly. Over the last several years the number of cars arriving in Battledown Approach to deposit and collect young children at Holy Apostles School has grown until twice a day it becomes literally "an accident waiting to happen". Cars park across our driveways and on the pavement, people become bad tempered, and at times screech away. Battledown Approach is packed with cars on both sides. Into this situation it is proposed to add builders lorries which could not be accommodated on the drive at Downside. We already live in fear that a child will be injured because of this problem.*

*We hope that this is useful input and as we are not used to planning applications, please forgive us if some of our comments are not appropriate.*

*Yours sincerely,*



# **DJ planning**

Planning & Design Consultancy

Richwood House  
50 – 54 Fairview Road  
Cheltenham  
Gloucestershire  
GL52 2JL

Our Ref: djp0213  
LPA Ref: 13/01483/FUL

23 September 2013

Mrs Emma Pickernell  
Development Services  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire  
GL50 9SA

Dear Mrs Pickernell,

**Ref: 13/01483/FUL**

**Proposal: Demolition of existing single storey side and rear extension, erection of two storey extensions to the side and rear, single storey extensions to the front and rear and detached car port**

**Applicant: Mr Hodgkinson**

**Site: Downside Battledown Approach Cheltenham GL52 6RE**

I am writing to you on behalf of [REDACTED] of Waverley, Battledown Approach to express their strong opposition to the proposal to construct substantial single and two storey front, side and rear extensions and detached car port at the neighbouring property, Downside, Battledown Approach as referred to above.

This letter seeks to highlight the adverse impact that the proposed two storey side and rear element, positioned in very close proximity to the western boundary of the site with [REDACTED] property, would have on their outlook and amenity.

The scheme has little or no regard to the impact of the development on Waverley and, neither the applicant nor the agent has sought to explore fully the potential for harm to [REDACTED] amenities through discussion, consultation or site visit.

The applicant, Mr Hodgkinson does not, as it is suggested on the planning application form, live at Downside. Mr Hodgkinson, it is understood, is in fact the son-in-law of the previous owner of the house, a Mr Wilf Handley, who passed away some 5 years or so ago leaving the property he had occupied since its construction to his son and daughter. Downside is at present occupied by a Mr Patrick Lewis and his family and has been for the last 4-5 years.

It seems most likely that Mr Hodgkinson, a local solicitor (recently retired), and Mr Handley's children are seeking speculatively to exploit as much development potential out of the site as possible with little or no regard to the impact on [REDACTED] at Waverley.

The online measuring tool on the Council's website confirms from the 1:50 floor plans that the depth of the proposed 2-storey element running parallel to and within 1m of the boundary of the site with Waverley as being significant at 11.5m. The greater part of this large expanse of wall would be visible from Waverley above and beyond the single storey structure on the boundary with the application site. The ridge height of the proposed gable flank wall, taken from the 1:100 elevations, would be 7.75m to the ridge of the main house. Around half of the 11.5m depth of this side and rear wing 2-storey extension, some 5.61m, extends beyond the rear face of the original 2 storey building of Downside which lines through with that of Waverley. The eaves and ridge heights of the 2 storey rear wing element are 5.3m and 7.1m respectively. The height of the structure so close to the boundary with Waverley is however further exacerbated by the change in ground levels between the two properties. [REDACTED] property, Waverley, sits downhill of Downside and has an external ground level significantly lower than that of Downside at the rear. The two storey side extension and rear 2-storey wing addition would appear visibly higher from the rear of Waverley. The built form in close proximity to the western boundary of the site with neighbouring Waverley would be considerably increased by this proposed development with a side wall of excessively large span and considerable expanse of solid wall becoming unacceptably dominant and overbearing when viewed from the rear of Waverley and its garden. The extension would have a hugely overbearing impact on Waverley and contrary to what is suggested on the proposed elevation plans would be unrelieved by any return or set back.

The orientation of the properties Waverley and Downside are such that the proposed development would also significantly overshadow the rear rooms and external decking of Waverley for at least the first half of the day. In addition, it should be noted that Waverley relies heavily on the light from the southeast of their property closest to the rear of the dwelling where the large 2-storey wing is now proposed. The presence of a number of tall mature trees within and along the boundary of the garden of the application site and on land immediately adjacent to the southern boundary of [REDACTED] property already overshadow the garden. The proposal would thus have a far more significant impact in terms of loss of light than one otherwise might have thought.

It is the combination of siting, height, form and context that determines the impact of a development. The proposed development brings the two storey side extension and rear wing element up to within 1m of the boundary with neighbouring Waverley from a position currently some 7m away from it. At the same time it sees the depth of the 2-storey element doubled with the additional depth of the rear wing extending beyond the main rear face of [REDACTED] property and alongside its rear garden and beyond the existing single storey structure at Downside. This, combined with the significantly higher ground level on the application site would result in the western 2-storey side elevation of Downside dominating over the garden and rear habitable rooms of Waverley. The extension would severely restrict light to [REDACTED] home, and alongside the existing mature landscaping outside of [REDACTED] control, completely block light reaching Waverley from the southeast and result in an unacceptable level of overshadowing.

The proposed extension would essentially represent a doubling of the footprint of the original dwelling and almost doubles the overall floorspace of the house. The application proposals show the property becoming a 5 bedroom property with the first floor of the two storey side and rear wing extension along the boundary with neighbouring Waverley becoming one large bedroom suite with large bedroom to the rear, small en suite shower room to the front and an excessive amount circulation space and what are assumed to be built in wardrobe spaces in between. This extravagantly large bedroom suite would be constructed to the detriment of [REDACTED] living amenities. Even if a smaller 2 storey extension could be justified on the western side of Downside without the rear wing element, a further bedroom and en suite could easily be achieved. It seems that the applicant is seeking to gain as much additional floorspace as possible with absolutely no regard to its impact on neighbouring property.

It is further noted that the two rear wing elements either side of the rear elevation leave 2 bedrooms within the main house of Downside with a particularly poor rear outlook restricted by the long inside walls of the two wings either side and over the roof of a proposed single storey extension in between. Again, it seems that gaining the most additional floorspace is the priority rather than the quality of the accommodation provided. At ground floor level it seems that habitable rooms within the original building will rely to a greater or lesser extent on borrowed light from the rooms added by way of extension to the rear. Not only does the proposal have a detrimental impact on [REDACTED] but also, it is argued, provides less than ideal accommodation for the future occupiers of Downside.

The built form on the site would be further increased by the erection of an ugly flat roofed car port forward of the house. The proposed block plan also suggests a further 2 car parking spaces within the front curtilage of the site. The result would be a front curtilage dedicated almost solely to parking and turning and an ugly flat roof building.



Both applicant and agent have failed to consider the amenities of neighbouring residents and the appearance of the area in the formulation of the proposed plans. The proximity, height and depth of wall created by the proposed two storey extension in combination with a higher ground level and other factors to consider on site suggests that the scheme should be deemed to have an unacceptable impact on the amenities of [REDACTED]

### **Policy Background**

Cheltenham Borough Local Plan Policy CP4 Safe and Sustainable Living states that development will only be permitted where it would 'not cause harm to the amenity of adjoining land users and the locality'.

Policy CP7 Design states that development will only be permitted where it 'is of a high standard of design; and adequately reflects principles of urban design; and complements and respects neighbouring development and the character of the locality and/or landscape.'

The purpose of Residential Alterations and Extensions Supplementary Planning Document (SPD) adopted by Cheltenham Borough Council in 2008 is to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly - designed extensions and alterations to residential properties. The document is a material consideration in the assessment of planning applications.

The SPD states that 'Central Government planning guidance stresses the importance of high standards of design, throughout the built environment, not just in conservation areas'. Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. One of the main principles of good design is for the proposal to relate to its context and hence this is embodied in Core Policy CP7 (Design) previously referred to.

The 5 basic design principles in developing plans for development of residential dwellings: Maintaining character; Subservience; Maintaining spaces between buildings; Maintaining privacy; and ensuring adequate daylight. Amongst others, issues with rear extensions are identified as the potential impact on 'daylight, sunlight and outlook from an adjacent neighbour's windows or garden to an unacceptable degree'.

It is considered that the proposal is out of keeping in scale with the host property and, it is our contention, the extension proposed at Downside fails to respect neighbouring property Waverley. In terms of the host property, the proposed extensions swamp the original simple and pleasant proportions of the original building which sit comfortably on the site and within the street scene. The proposed car port and overall larger built form will undoubtedly have a visual impact on the surrounding area.

The proposal would result in a vast two storey expanse of solid wall within 1m of the boundary with Waverley. The impact is accentuated by the difference in ground levels between the two properties and the orientation of the applicant property to the south east of Waverley. The building if allowed to proceed would undoubtedly result in a significant loss of light and an overbearing impact on [REDACTED] property. The rear of the property and garden will be greatly overshadowed by reason of the extension and the wall will be a dominant and oppressive feature. The outlook from rooms in the rear of Waverley will be similarly unacceptably dominated by the wall. The structure will be overbearing and have significant impact on the amenities of the occupiers of Waverley and their ability to enjoy their property.

It would seem that no consideration has been given to the amenities of [REDACTED] in the development of the scheme. There has been a blatant disregard for their well-being with the emphasis being on achieving the largest extension they can and the greatest financial return. Effectively, the right of [REDACTED] to quiet enjoyment of their property would be compromised if the application proposal was approved.

### **Conclusion**

There are fundamental flaws in the design of the application proposal. It would have a significantly adverse impact on the occupiers of the neighbouring property, Waverley, and would be out of keeping with the scale and simple character of the existing dwelling. The scheme fails to satisfy all the requirements of Core policies in the Local Plan and Supplementary Planning Document on householder extensions.


[REDACTED] feel considerable disappointment that the applicant, who is not the occupant of the house, has chosen to pursue a scheme that would have such devastating effects on their amenity and living conditions for what appears to be purely the possibility an increased financial return on the property. No attempt has been made by either the applicant or agent to consider the change in levels between the two properties and the amount and height of building proposed within a metre of the boundary. [REDACTED] are compelled to object to the application proposal in the strongest possible terms, given the wholly unacceptable nature of the scheme and the potentially harmful impact on their future ability to enjoy their home and garden. The loss of light, the overbearing effect and overshadowing resulting from the development would seriously impact the amenities [REDACTED] currently enjoy.

The impact of the scheme can only be truly measured from the rear garden of Waverley. It is the request of [REDACTED] that the planning committee view the site from their property in the event that you, as case officer, recommend approval of the scheme. To this end they have been in touch with their local councillors.

It is our belief, however, that the only reasonable conclusion is to refuse the application.

Yours sincerely

Diana Jones  
DJ Planning

  
Cllrs Paul McLain and Andrew Wall

Richwood House  
50 – 54 Fairview Road  
Cheltenham  
Gloucestershire  
GL52 2JL

Our Ref: djp0213  
LPA Ref: 13/01483/FUL

23 October 2013

Mrs Emma Pickernell  
Development Services  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
Gloucestershire  
GL50 9SA

Dear Mrs Pickernell,

**Ref: 13/01483/FUL**

**Proposal: Demolition of existing single storey side and rear extension, erection of two storey extensions to the side and rear, single storey extensions to the front and rear (revised plans)**

**Applicant: Mr Hodgkinson**

**Site: Downside Battledown Approach Cheltenham GL52 6RE**

I am writing to you on behalf of [REDACTED] Waverley, Battledown Approach to inform you that they maintain their very strong opposition to the proposal to construct substantial single and two storey front, side and rear extensions at the neighbouring property, Downside, Battledown Approach as referred to above.

The revised plans lodged with the Council fail to address fully the adverse impact that the proposed two storey side and rear element, positioned in very close proximity to the western boundary of the site with [REDACTED] property, would have on their outlook and amenity. The very small reduction in the depth of the rear two storey wing by just over 1.5m is not sufficient to address the impact of a new two storey structure within 1m of the boundary with Waverley which will still extend for a depth of nearly 10m. The higher ground level of Downside greatly exacerbates the situation.



The revised scheme continues to have little or no regard to the impact of the development on Waverley and, neither the applicant nor the agent has sought to explore fully the potential for harm to [REDACTED] amenities through discussion, consultation or site visit. This is likely as a result of the fact that the applicant, [REDACTED] does not, as is suggested on the planning application form, live at Downside. [REDACTED] it is understood, is in fact the son-in-law of the previous owner of the house, a [REDACTED] who passed away some 5 years or so ago leaving the property he had occupied since its construction to his son and daughter. Downside is at present occupied by a [REDACTED] [REDACTED] and has been for the last 4-5 years.

It seems most likely that [REDACTED] a local solicitor (recently retired), and [REDACTED] [REDACTED] are now seeking speculatively to exploit as much development potential out of the site as possible and for this reason probably have little or no interest in the impact of the development on existing residents including [REDACTED]

The online measuring tool on the Council's website confirms from the 1:50 floor plans that the depth of the proposed 2-storey element running parallel to and within 1m of the boundary of the site with Waverley remains significant at 9.7m including the 4m wing to the rear of the main dwelling annotated on the drawing from which the scale was set. There is concern however, using the same online measuring tool, that the elevation drawings at the smaller 1:100 illustrate this elevation to be 500mm smaller than the floor plans and that, as such, they don't correctly represent the proposed elevation towards Waverley. Notwithstanding this, it is a fact that this large expanse of wall would be visible from and overly dominant as viewed from Waverley.

The height of the proposed gable flank wall, taken from the 1:100 elevations, measures as 7.4m from ground level to the ridge of the main house, the eaves and ridge heights of the 2 storey rear wing element are shown as 4.85m and 6.85m respectively. There remains some doubt however that these measurements can be taken as strictly accurate (see above). Again notwithstanding this, it is fact that the height of the structure so close to the boundary with Waverley is further exacerbated by the change in ground levels between the two properties. [REDACTED] Waverley, sits downhill of Downside and has an external ground level significantly lower than that of Downside at the rear. The two storey side extension and rear 2-storey wing addition would therefore appear visibly higher from the rear of Waverley.

The built form in close proximity to the western boundary of the site with neighbouring Waverley would be considerably increased by this proposed development, even in its revised form, with a side wall of excessively large span and considerable expanse of solid wall becoming unacceptably dominant and overbearing when viewed from the rear of Waverley and its garden. The extension would have a hugely overbearing impact on Waverley and contrary to what is suggested on the proposed elevation plans would be unrelieved by any return or set back.

The orientation of the properties Waverley and Downside are such that the proposed development would also significantly overshadow the rear of Waverley for at least the first half of the day. In addition, it should be noted that Waverley relies heavily on the light from the southeast of their property closest to the rear of the dwelling where the large 2-storey wing is now proposed. The presence of a number of tall mature trees within and along the boundary of the garden of the application site and on land immediately adjacent to the southern boundary of [REDACTED] property already overshadow the garden. The proposal would thus have a far more significant impact in terms of loss of light than one otherwise might have thought.

It is the combination of siting, height, form and context that determines the impact of a development. The proposed development brings the two storey side extension and rear wing element up to within 1m of the boundary with neighbouring Waverley from a position currently some 7m away from it. At the same time it sees the depth of the 2-storey element significantly increased with the addition of a 4m deep rear wing extending beyond the main rear face of [REDACTED] property and alongside its rear garden. This, combined with the significantly higher ground level on the application site would result in the western 2-storey side elevation of Downside dominating over the garden and rear habitable rooms of Waverley. The extension would severely restrict light to [REDACTED] property, and alongside the existing mature landscaping outside of Mr and Mrs Jockelson's control, block light reaching Waverley from the southeast and result in an unacceptable level of overshadowing.

The proposed extension would still in its revised form essentially represent a doubling of the footprint of the original dwelling and almost doubles the overall floorspace of the house. The application proposals show the property becoming a 5 bedroom property with the first floor of the two storey side and rear wing extension along the boundary with neighbouring Waverley becoming one large bedroom suite with bedroom to the rear, small en suite shower room to the front and an excessive amount circulation space and what are assumed to be built in wardrobe spaces in between. This large bedroom suite would be constructed to the detriment of [REDACTED] living amenities. Even if a smaller 2 storey extension could be justified on the western side of Downside without the rear wing element, a further bedroom and en suite could easily be achieved. It seems that the applicant is seeking to gain as much additional floorspace as possible with absolutely no regard to its impact on neighbouring property.

It is further noted that the two rear wing elements either side of the rear elevation, one now proposed slightly shorter than the other, leave 2 bedrooms within the main house of Downside with a particularly poor rear outlook restricted by the long inside walls of the two wings either side and over the roof of a proposed single storey extension in between. Again, it seems that gaining the most additional floorspace is the priority rather than the quality of the accommodation provided. At ground floor level it seems that habitable rooms within the original building will rely to a greater or lesser extent on borrowed light from the rooms added by way of extension to the rear.



Therefore, not only does the proposal have a detrimental impact on [REDACTED] but also, it is argued, provides less than ideal accommodation for the future occupiers of Downside.

The revised proposal no longer pursues permission for an ugly flat roof car port at the front of the house but identifies instead 3 forecourt parking spaces extending right up to the building. Proposals remain to integrate the existing garage into the main house and convert it to a study and to extend the downstairs hall forward of the main house and provide new front entrance door. The new front entrance and study elements are shown in the revised plans with a flat roof including large cornice detail, projecting forward of the main building. This cornice feature is wholly at odds with the existing building and neighbouring property Waverley and sits uncomfortably with the existing simple elevation of Downside. Both the single storey element to the front of Downside and the greatly increased depth of the building, through the addition of rear wings either side of the rear elevation, would have an adverse impact on the appearance of the building and the area when viewed from Battledown Approach.

It is clear that even in the formulation of revised plans both applicant and agent have failed to consider the amenities of neighbouring residents and the appearance of the building and the area. The proximity, height and depth of wall created by the proposed two storey extension in combination with a higher ground level and other factors to consider on site suggests that the scheme should be deemed to have an unacceptable impact on the amenities of Mr and Mrs Jockelson. The design and significant increase in the footprint of the development and its built form suggest the scheme should be rejected.

### **Policy Background**

Cheltenham Borough Local Plan Policy CP4 Safe and Sustainable Living states that development will only be permitted where it would 'not cause harm to the amenity of adjoining land users and the locality'.

Policy CP7 Design states that development will only be permitted where it 'is of a high standard of design; and adequately reflects principles of urban design; and complements and respects neighbouring development and the character of the locality and/or landscape.'

The purpose of Residential Alterations and Extensions Supplementary Planning Document (SPD) adopted by Cheltenham Borough Council in 2008 is to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly - designed extensions and alterations to residential properties. The document is a material consideration in the assessment of planning applications.

The SPD states that 'Central Government planning guidance stresses the importance of high standards of design, throughout the built environment, not just in conservation areas'. Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. One of the main principles of good design is for the proposal to relate to its context and hence this is embodied in Core Policy CP7 (Design) previously referred to.

The 5 basic design principles in developing plans for development of residential dwellings: Maintaining character; Subservience; Maintaining spaces between buildings; Maintaining privacy; and ensuring adequate daylight. Amongst others, issues with rear extensions are identified as the potential impact on 'daylight, sunlight and outlook from an adjacent neighbour's windows or garden to an unacceptable degree'.

It is considered that the proposal is out of keeping in scale and design with the host property and, it is our contention, the extension proposed at Downside fails to respect neighbouring property Waverley. In terms of the host property, the proposed extensions swamp the original simple and pleasant proportions of the original building which sit comfortably on the site and within the street scene.

The proposal would result in a vast two storey expanse of solid wall within 1m of the boundary with Waverley. The impact is accentuated by the difference in ground levels between the two properties and the orientation of the applicant property to the south east of Waverley. The building if allowed to proceed would undoubtedly result in a significant loss of light and an overbearing impact on [REDACTED] property. The rear of the property and garden will be greatly overshadowed by reason of the extension and the wall will be a dominant and oppressive feature. The outlook from rooms in the rear of Waverley will be similarly unacceptably dominated by the wall. The structure will be overbearing and have significant impact on the amenities of the occupiers of Waverley and their ability to enjoy their property.

It would seem that no consideration has been given to the amenities of [REDACTED] in the development of the scheme. There has been a blatant disregard for their well-being with the emphasis being on achieving the largest extension they can and the greatest financial return. Effectively, the right of [REDACTED] to quiet enjoyment of their property would be compromised if the application proposal was approved.

## **Conclusion**

There are fundamental flaws in the design of the application proposal. It would have a significantly adverse impact on the occupiers of the neighbouring property, Waverley, and would be out of keeping with the scale and simple character of the existing dwelling. The scheme fails to satisfy all the requirements of Core policies in the Local Plan and Supplementary Planning Document on householder extensions.



██████████ feel considerable disappointment that the applicant, who is not the occupant of the house, has chosen to pursue a scheme that would have such devastating effects on their amenity and living conditions for what appears to be purely the possibility an increased financial return on the property. No attempt has been made by either the applicant or agent to consider the change in levels between the two properties and the amount and height of building proposed within a metre of the boundary.

██████████ are compelled to object to the application proposal in the strongest possible terms, given the wholly unacceptable nature of the scheme and the potentially harmful impact on their future ability to enjoy their home and garden. The loss of light, the overbearing effect and overshadowing resulting from the development would seriously impact the amenities ██████████ currently enjoy.

The impact of the scheme can only be truly measured from the rear garden of Waverley. It is the request of ██████████ that the planning committee view the site from their property in the event that you, as case officer, recommend approval of the revised scheme. To this end they have been in touch with their local councillor.

It is our belief, however, that the only reasonable conclusion is to refuse the application.

Yours sincerely

Diana Jones  
DJ Flanning

c.c. ██████████  
Cllr Paul McLain