

APPLICATION NO: 13/01461/OUT		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 23rd August 2013		DATE OF EXPIRY : 18th October 2013	
WARD: Prestbury		PARISH: PREST	
APPLICANT:	Mr Andrew Sullivan		
LOCATION:	Ramblers Rest, 81 New Barn Lane, Cheltenham		
PROPOSAL:	Outline application for the erection of a new dwelling		

REPRESENTATIONS

Number of contributors	1
Number of objections	1
Number of representations	0
Number of supporting	0

Whytehurst
83B New Barn Lane
Cheltenham
Gloucestershire
GL52 3LF

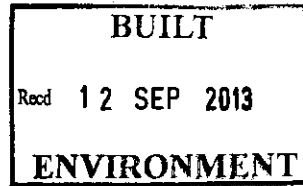
Comments: 13th September 2013
Letter attached.

Comments: 11th October 2013
Letter attached.

Comments: 20th December 2013
Letter attached.

[REDACTED]
Whyteburst

83b New Barn Lane, Cheltenham, GL52 3LF
[REDACTED]



Miss Chloe Smart
Planning Dept
Cheltenham Borough Council
Cheltenham

Thursday, 12 September 2013

Dear Miss Smart

Ref: 13/01461/OUT

Our objections are as follow.

The development is contrary to the Council's SPD Development on Garden Land and Infill Sites in Cheltenham, in that it would have detrimental effect on the limited amenity space which our property enjoys adjacent to the south side of the site, by reason of noise and general disturbance.

The recent refusal accurately identified that erection of a dwelling on this site constitutes a crowded and harmful overdevelopment. This remains so.

The building would overlook and block what little sunlight we get in our extremely small back garden and the effect, coupled with the soon to be built upward extension at 83 in front of us, will be to totally box us in.

Having visited the site prior to the last application the planning committee members will be aware that it is a very tiny site and that there is insufficient space to make any significant change of layout which would leave the it anything other than, as already identified, overcrowded and harmful.

In the interest of consistency I believe the Council should refuse this application.

In the event of permission being granted I request that conditions covering the following issues be included on any Outline permission granted.

- a) Only a single storey dwelling shall be erected on this site.
- b) Permitted development rights for any additional upper floors or windows in the roof shall be removed.
- c) The building shall not extend beyond the rear wall of my house.

Sincerely yours,
[REDACTED]

Whytehurst

83b New Barn Lane, Cheltenham, GL52 3LF

Cheltenham Borough Council Environment Group			
PASSED TO			
REC'D	10 OCT 2013		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Ms Chloe Smart
Planning Dept
Cheltenham Borough Council
Cheltenham

Wednesday, 9 October 2013

Dear Ms Smart

Ref: 13/01461/OUT

Our objections are as follow.

The development is contrary to the Council's SPD Development on Garden Land and Infill Sites in Cheltenham, in that it would have detrimental effect on the limited amenity space which our property enjoys adjacent to the south side of the site by reason of noise and general disturbance.

Having visited the site before the original application the planning committee members will be aware that it is an extremely small site and that there is insufficient space to make any significant change of layout which would leave it anything other than, as already identified, overcrowded and harmful.

My research has failed to reveal any developments comparable to that proposed. Recent developments in the area permitted by the Council which might be cited as comparable all front directly on to the highway or have a great deal more space around them. I am unaware of any on plots which were officially described as overcrowded.

Access to the proposed dwelling is hazardous because vision to the east side is frequently obscured by delivery vans and customers vehicles visiting the adjoining busy shop.

The revised plan, which moves the parking space from the north to the south side, does nothing to reduce the crowded and harmful aspect accurately identified. Furthermore, the revised plan introduces an additional harmful aspect because the proposed dwelling will now overlap more than three quarters of our four meter wide rear garden, totally screen it from the limited sunlight it currently enjoys and reduce the natural light to rooms at the rear of our house, particularly the dining room which will be nearest to the overbearing dwelling.

The previous refusal was voted upon in the accepted democratic manner and I believe the Council should refuse this application with its additional harmful aspect in the interest of consistency.

In the event of permission being granted I request that conditions covering the following issues be included on any outline permission granted.

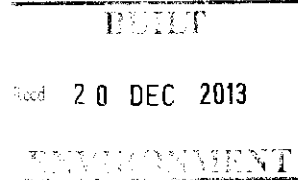
- a) Only a single storey dwelling shall be erected on this site.
- b) Permitted development rights for any additional upper floors or windows in the roof shall be removed.
- c) The building shall not extend beyond the rear wall of my house.

Yours sincerely



[REDACTED]
Wbytechurst

83b New Barn Lane, Cheltenham, GL52 3LF



**Miss C Smart
Planning Dept
Cheltenham Borough Council**

Wednesday 18 December 2013

Dear Miss Smart

**Ref 13/01461/OUT Revised plans Outline application for erection new dwelling at
Ramblers Rest 81 New Barn Lane**

Our objections are as follow:-

The development is contrary to the Council's SPD Development on Garden Infill Sites in Cheltenham, in that it would have a seriously detrimental effect on the limited amenity space to the rear of our house (only 4 metres deep from house to boundary) which is already dominated on the northern boundary by the tall, increasingly spreading trees planted by the applicant. (photo 1 enclosed)

The revised, larger, now 2 storey building is planned to extend well beyond our 4 metre wide garden so will block what little sunlight we get to this amenity.(photo 2)

The applicant's assertion that removal of the apple tree, close to the 4 metre boundary, will improve the daylight is absurd because it is to be replaced by a building much taller than the tree and obviously much wider. (see photo 3)

May I refer the committee to the recent refusal which accurately identified that "erection of a dwelling on this site constitutes a crowded and harmful overdevelopment of this backland location, and in doing so fails to complement and respect neighbouring properties and the character of the locality." I believe you will agree that the revised plan does nothing to overcome this assessment.

Coupled with the soon to be built upward extension to the shop directly in front of our property the crowded and harmful overdevelopment of this site will totally box us in.

May I remind the committee that several years ago, following the grant of permission to the applicant for erection of an extraordinarily large garage at 81A, behind our house, the Local Government Ombudsman called for a valuation of our property to assess the impact upon us. The Council will have on record that, as a result, the LGO required it to make a compensation payment.

The planned dwelling will be much closer than the garage and will surely have an even greater impact.

Access is inadequate since it will necessarily be shared by the proposed development at 81, also by various vehicles at the applicants house at 81A together with tourists, racegoers and businessmen's cars using his tourist accommodations also at 81A. Furthermore, with the business premises next door at 83, a serious hazard is created with vision to the east side being frequently obscured by cars and lorries visiting or delivering to the shop. My photo number 4 illustrates the inevitable situation repeated many times seven days a week. Additionally the tourist accommodation at Ramblers Rest also attracts vehicles. This should be of concern to the Highways Authority.

I have failed to discover any developments comparable to that proposed. Recent developments on small sites locally either front directly on to the road or are at considerably greater distance from surrounding properties.

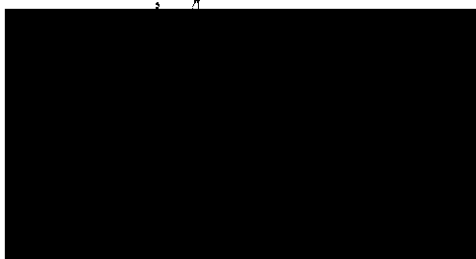
Photographs I have enclosed may help illustrate the detrimental effect the development will have. Nevertheless, I request that the planning committee gets a clear understanding of the potential impact by viewing the situation from our back garden amenity.

In the event of permission being granted I request that conditions covering the following issues be included on any outline permission granted.

- a) Only a single storey dwelling shall be erected at this site.
- b) Permitted development rights for any additional upper floors or windows in the roof shall be removed.
- c) The building should not extend beyond the rear wall of my house.
- d) The building should only be used as a single private dwelling and not as tourist accommodation for multiple occupancy.

This latter condition is requested because the applicant already operates a tourist accommodation business at Ramblers Rest plus the tourist accommodations at 81A.

Yours sincerely



4 photographs enclosed relevant to the objections.

OBJECTION TO 13/01461/OUT REVISED PLAN



Our very small but valuable back garden amenity is a mere 4 meters wide. This photo, taken from our dining room patio door illustrates a worsening situation as the trees, planted by the applicant several years ago, grow and spread to deprive us of natural light. The building illustrated in the applicant's plan shows it would reach well beyond either side of the 4 meter boundary to the immediate left of this picture. It illustrates to an even greater degree than the original refused application that the site is **"a crowded and harmful development failing to complement and respect neighbouring properties etc."**

PHOTO No 1

Applicant's plan shows the proposed two storey dwelling will totally cover this area and considerably overlap our house to the south and our 4 metre wide garden amenity to the north. Together with trees he planted along our northern boundary this will inevitably affect the natural light to our dining room, kitchen and utility rooms.

4 metres from house to fence

PHOTO NO2

OBJECTION TO 13/01461/OUT REVISED PLAN



↑ Apple tree referred to in applicant's "Planning Summary"

The applicants astonishing assertion (see his "Planning Summary para c) that removal of the apple tree, seen above, will 'result in an overall gain of light' is demonstrably absurd. His plans clearly show a two storey house which will indisputably be much higher than the tree and will extend well beyond our western boundary fence.

The patio window just visible on the left is the only natural source of light in our dining room. The two storey house together with the trees planted by the applicant along our northern boundary fence is absolutely bound to affect light to the rear of our house.



Two storey house will cover the shaded area depriving us of natural light.

← Patio door, our dining room's only source of natural light

PHOTO NO 3

OBJECTION TO 13/04/017 ENVED P.0.1

Taken from the western edge of the access to 81 and 81A New Barn Lane, exactly the position of a driver endeavouring to exit 81 or 81A, this typically illustrates the obstructed view to the east occurring many times daily as vehicles visit the adjoining shop. Furthermore, to the east the road curves increasingly to the left. With a clear road vehicles come into view roughly when level with the large house just visible right of centre.

OBJECTION TO 13/01X61/OUT REVISED APPLICATION

PHOTO 4



← Shared vehicle access to the proposed development at No 81, also serving applicant's house at 81A together with vehicles of customers using his existing tourist accommodations also at 81A