

APPLICATION NO: 14/00395/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 6th March 2014		DATE OF EXPIRY : 1st May 2014	
WARD: All Saints		PARISH:	
APPLICANT:	Mr D Iles		
LOCATION:	39 Keynsham Street, Cheltenham		
PROPOSAL:	Proposed erection of single storey 2 bedroomed dwelling to rear of 39 Keynsham Street		

REPRESENTATIONS

Number of contributors	8
Number of objections	8
Number of representations	0
Number of supporting	0

24 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 7th April 2014
Letter attached.

2 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 25th March 2014
There are a number of material reasons why this planning application should be rejected.

THE REAR SERVICE LANE

The most significant is the fact that, as the applicant himself admits, the road on which he proposes to build the bungalow is an historic 'rear service lane' and not a thorough-fare. It is therefore not designed to be utilised as a residential street.

The road is rough and unkempt and there are no utilities, such as water supply or mains drainage, no street lights and a dangerous lack of access for emergency vehicles. The sharp bend (it is a blind corner) at one end is hazardous and there are few passing places for cars or spaces for builders' vans, tree-cutters etc to park or unload.

The lane does not fall under the protection and maintenance of the Highways Agency, so residents are expected to provide upkeep themselves, which we do in an informal way.

Furthermore, although the applicant has addressed the need to provide storage space for bins on the property, there is nowhere suitable for them to be put out on bin collection days. There are already six bins and many loose bin bags strewn around at the end of the lane, which come from residents of flats in London Road and Keynsham Road; further bins will only add to this fortnightly eye-sore within the Conservation Area and hinder access to the lane and to the busy junction at Hales Road for residents' vehicles, service vehicles and passing pedestrians.

LACK OF OBJECTION BY CONSULTTEES

In the original consultation (13/01719/OUT), neither the Highways Agency nor the Architects' Panel objected to the project, assuming the design of the building was modified. However, both agencies admit that they did not actually visit the site and thus their comments are based solely on desktop research and not on the reality of the situation.

On the other hand, when our local Councillor kindly came to view the lane, he was shocked at how narrow and rough it is and surprised that building could even be considered in such a cramped space.

Furthermore, the Highways Agency did not comment on the issues of utilities or the hazardous lack of emergency access, presumably because the lane is only in use as an access track and not as a public road for which they are responsible. Again, this strikes at the heart of the issue - it is just a track, not a proper road.

THE NEED FOR BROWNFIELD HOUSING?

The applicant suggests that his new investment property will help to address the Council's urgent need for more house-building.

In the original consultation (13/01719/OUT), the residents of Hales Road and Keynsham Road worked together and argued strongly that, rather than setting a positive precedent, the one existing dwelling on the lane serves to highlight the continued unsuitability of this track for further building. We argued that our objection is to further development of the lane, generally, and not just to specific, single homes. It is frustrating that we are having to address the same concerns just a few months down the line.

This community lives on a very busy stretch of road, with dense housing and heavy traffic, and there are many families with young children in the area. A piecemeal approach to building on this track is therefore worrying.

Any further building on this busy, crowded, brownfield site should be done holistically and with an overall plan for the lane in mind, in wider consultation with the Council and local residents. In its role as a rear service lane, this space is already working hard; ad hoc house-building, such as is proposed here, will only add to the strain.

4 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 27th March 2014

Letter attached.

Comments: 15th May 2014

I have objected to proposed dwelling(s) in the rear access lane to my property twice before. The same problems will still arise. Namely, access to fire brigade endangering all surrounding properties, refuse bin collection (a number of bins are already blocking access on collection day) and wear and tear to an already potholed lane. This lane does not have an address and is purely for access to garages. Some of the properties have also got boundary lines outside their back wall, taking up half of the lane reducing access if they park cars in the lane to the rear of their properties.

26 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 15th May 2014

There are a number of reasons why this planning application should be rejected:

The road on which the proposed house is to be built is an unadopted, locally maintained 'rear service lane' and not a thorough-fare and not designed to be utilised as a residential street. The lane is narrow and rough and it is incomprehensible that new building could even be considered in such a cramped space.

There are no utilities, such as water supply or mains drainage, no street lights and a dangerous lack of access for emergency vehicles. The blind corner at one end is hazardous and there are few passing places for cars or spaces for residents, builders etc. to park or unload.

The lane does not fall under the protection and maintenance of the Highways Agency, so residents are expected to provide upkeep themselves, which is done in an informal way.

The lane is busy enough with current use, two cars cannot pass in the lane and is just acceptable as it is with residents using the lane occasionally. It will not support the proposed development of a dwelling which would cause more cars and pedestrians to use the lane daily as their sole access.

Any new house would have an impact on the privacy of nearby residents, add to noise pollution of their relatively peaceful back gardens and be an eyesore from their properties.

For all the reason above I expect Cheltenham Borough Council to refuse the above application.

16 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 26th March 2014

I would like to take this opportunity to lodge the fact that I am strenuously against the application as above. I believe the application should be refused on the following grounds.

1. The Back Lane

This lane is a private lane (unadopted) which has no name, no street lighting and is rough and unmetalled. The residents are responsible for the maintenance and up-keep which has solely been carried out by the Hales Road residents whose properties back onto the lane. The lane itself is very narrow with a ninety degree corner at the entrance end near the Hales Road/London Road traffic light junction. Two cars cannot pass in the lane and is just acceptable as it is with residents using the lane occasionally. It will not support the proposed development of a dwelling which would cause more cars to use the lane daily as their sole access.

This will mean the very few occasions where you have vehicles meeting in the lane will be increased and the times when this happens at the entrance to the lane will also be increased. On these occasions one has to reverse into the already busy Hales Road at the junction causing congestion and hazards on the main routes of both Hales Road, Upper Park Street, Strickland Road and London Road.

The view when exiting the lane in a vehicle is impeded by the wall of the end house in Hales Road. It is impossible to see pedestrians clearly and again increased traffic will be dangerous. On

top of this the additional use will mean increased traffic at what will become a cross roads of Back Lane, Upper Park Street & Hales Road. I do not know of any other area where you have two cross roads on such heavily used roads in such close proximity. It is a dangerous situation and an accident waiting to happen. Increased volume of traffic will only increase the problem. The road is a popular route for people with families from local estates schools and families who live in the area. This means there are many children on bikes and scooters who pass the entrance to the lane at speed, quite often impossible to see until the very last minute.

2. Fire Hazard

If this development is permitted and should those properties catch fire they will inevitably endanger the properties surrounding them due to the density of the development proposed and the density already in the area. On top of that it will be impossible for the fire brigade to reach those properties from Hales Road due to the bend in the lane, the cars that park in the lane and the additional vehicles the development will increase in the lane. I also believe it will be impossible for ambulances to get up the lane either. There is no other access to the proposed development whatsoever.

3. Conservation area

All properties in Hales Road and Keynsham Road together with their gardens are within a conservation area. As Hales Road is an extremely busy and noisy road and housing is already dense in the area. Our garden land at the rear of Hales Road is a valuable green open space amenity that all residents and wild life enjoy. Any development of that garden land and any other in the area would have an adverse impact on the quality of life of the residents.

4. Services

As I have already mentioned the fact that the fire and ambulance services cannot get up the lane is very dangerous, there is also the ability for the refuse service to collect bins from the proposed development to consider.

Bin collection vehicles will not be able to negotiate the bend in the lane and so the properties would have to leave their bins at the end on the lane. This is a situation that is already causing a hazard for pedestrians and motorists in Hales Road and when leaving the lane. Bins are left so motorists have to get out to move them this impedes traffic using Hales Road and eventually traffic using London Road when the lights change. In my mind this is a major traffic hazard.

In addition the extra bins will cause the previously mentioned issue in point 1 of the view when leaving the lane and ability to see pedestrians even worse.

I believe that most of the Hales Road residents have a 5 or 7 foot area at the back of their house that is detailed in deeds for their use. The traffic trying to get past in the small gap that is left will cause damage to people property if left in these areas. Again any service or emergency vehicles will not be able to gain access if I or another resident leaves their vehicle in their designated area as detailed in the deeds.

5. Services and Drainage

I would also like to point out that the residents of Hales Road have a right to use the lanes at all times without hindrance and could not agree to it being excavated for services to be connected to the development. At present there is no water or mains drainage to the garden land from the lane.

I am sure that soak-aways will be built within the development but I wonder what will happen when these are blocked and become less efficient over time. The reduction of natural area for rainwater to soak away could be damaging to nearby properties especially the ones lower down in Keynsham Road with basements. (Please bear in mind the increased rainfall the whole country has seen over recent years.) The lane already has an issue with water running down it in heavy downpours and adds to the issues that the London Road shops have with flooding when the junction floods. In addition this flooding causes issues with traffic at the London Road lights not

being able to use the left turn lane into Hales Road. This is not a point I see coming, it is a point that happens regularly and a point that will become larger if housing is allowed to be built in the area.

6. Visual Impact

My family home is directly opposite the proposed development; my bedroom window overlooks the gardens. This will inevitably impact on the quality of life to me and my family, whilst using the garden, home and alley which is our historic right of way and a place for our children play.

7. Privacy and noise disturbance

As above, the proposed development would most definitely impact on my privacy and the peace that the alley and gardens bring. The gardens at present use access from the house they back onto, and therefore the alley has never had to cope with extra traffic from this site before. It is obvious that any development would therefore increase traffic on the alley, and therefore noise and pollution, into a conservation area.

For all the reasons above we hope that Cheltenham Borough Council refuses the above application.

30 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 14th May 2014

Re: erection of 2 bedroomed house to rear of the gardens of Keynsham Street but actually much closer to the houses of Hales Road than to the houses of Keynsham Street and opposite 28 Hales Road and very close to the only entrance and exit of 30 Hales Road.

So this man is suggesting the building of houses which will have no impact on his life compared to the impact these houses will have on the residents of Hales Road. Whereas he will continue to have a no-through Keynsham Street to enjoy and a larger garden than has No 28 Hales Road has, to buffer him from his sold off land, we, the residents of Hales Road, who look after the road his pedestrians will be using , - I've never seen or known of him to spend even one hour mending the lane, it is we who will be paying the price for him lining his pocket with money when he doesn't even need it, owning quite a number of properties.

I made a very full letter of strong reservations about the previous proposal put forward by Mr 39, Keynsham Road in which I cited various rules in existence re use of un-made up access lanes in conservation areas, which backed up my concerns.

It seems to me you have been supplied with photos of this back lane by agents of Mr 39 Keynsham Road so really, you haven't seen any decent photos of this lane because if you were to come down this lane you would see what causes me concern is that this lane is not even remotely equipped to cope with more car traffic and even worse, the introduction of pedestrian traffic, waste bin traversing up and down this lane, and when there are emergencies the fire brigade services etc. I was brought up in Africa so I can assure you I'm not scared of potholes but the potholes in this lane have to be seen to be believed and are currently looked after by a resident of Hales Road who has cancer. He is decent enough to fill in the holes, not Mr 39 Keynsham Road. How much longer is he going to do this job for all of us And why should he when Mr 39 and the rest Keynsham Road has flooded the back lane with many more cars and foot fall and yet pays nothing for the luxury.

Why are you even allowing the proposal of a two bedroom house which you must know suggests students or a couple with a young family will buy this, because the house being built will be on so

little land and of such cheap design and construction and down such a disgusting little lane only the poorest will want to buy this proposed dwelling.

So you are happy to condemn some poor mother to trying to get her buggy and baby in and out of her car on a plot of land that certainly with the property you have already allowed barely has room on the parking areas to open the car door of a modest car: so not safe for pedestrians, but also what about waste disposal? these people will have to push their bin some 20 houses (well, I live in No 30) length of lane, over potholes that someone could break their ankle on, as these potholes are huge and filled with broken bricks, even worse in the winter, with no lighting, just mud, no tarmacked road, no side road whilst our cars can't get past them as they drag their bins up and down the lane, /ride their bikes/push their babies in prams when we need to go to work, get to trains etc, ??? Have you PERSONALLY come down this lane??? Have you seen how neatly the current owners park their car on the already developed site because you only have to watch them to ask yourself how on earth is anyone going to manage children safely on this lane when getting in and out of cars and when the front door gets opened"

You do know that Mr 39, Keynsham Road owns more than one property on Keynsham Street and clearly the moment he has got this 2 bedroomed house built and sold, he'll be back to get permission for more houses to be built.

Why are you allowing such cheap housing and such a deplorable scatter-gun approach to developing this back lane in a conservation area????

This lane is for access to the driveway and garden and garage of 30 Hales Road and the other houses. Whenever I drive myself or my children to and from the railway station it is a nightmare of stress because I have to allow so much more time for current users of this lane to back up or move forward, in order that I can squeeze past them.

I saw the photos that agents of Mr 39 Keynsham Street put forward to support their proposal and I THANK YOU FOR THIS OPPORTUNITY TO TELL YOU THE REALITY IS NOT SEEN IN THOSE PHOTOS, NOT FOR ONE SECOND.

I won't live here forever, so I don't feel I am being a NIMBY. I seriously believe that this lane is not tenable for pedestrian use or that the houses you are allowing to be built not only do not fit in with the other houses in this conservation area but are on too small a site each.

The hard reality is that you should finally be stating the honest truth which is this lane needs to be made much wider to allow a pedestrian pathway for the numerous pedestrians from this proposed 2 bedroom house and all the other houses Mr 39-and-more-properties-than-this-on-Keynsham Road will be building. To be safe, the lane needs to be tarmacked, it needs to be lit properly, it needs to be widened substantially. We residents of Hales Road have vehicles up and down that road all day to do with how we earn a living and contribute to Cheltenham, how much slower are we going to be forced to become with many more cars parked in this lane and people walking up and down because this will be their only exit??????

The current proposal does not fit into an organised, modern day town which expects a basic level of security and bearable living for its citizens. This proposal, when looked at, as in the current situation of road width, road quality, light, access by ambulance and fire brigade is a long way from acceptable, even when one does not want to take into account how much more dwellings like this introduce cars and pedestrians to an already congested and badly run, narrow, access lane that right now, not a single person walks down. I love walking away from the crowds but not even I, who walks marathons across rough countryside wants to walk down this lane because it is, quite simply, not safe to do so. I would be so in the way of the vans, small lorries and cars that use this lane all day long, on top of which, the ground itself is very, very unsafe with its huge potholes and no enough room for vehicles to pass or reverse.

YET!!! YOU are proposing letting this Mr 39 Keynsham Street build a TWO BEDROOM house at a point as far from the exit of this lane as he can get, ie virtually right at the end of this lane!!! On top of me and Number 28.. poor, poor people who find themselves so poor they are going to buy this proposed dwelling. Dwelling is the right word, one from the late 1700s!!! I thought Cheltenham Council was a modern council, up for developments that promote well-being for its residents present and future. It seems to me the only well-being will be to Mr 39 Keynsham Street who will actually be personally well removed from what he is going to be putting the rest of us through!!!

In summary, you get a whole lot more land from him, get him to tarmac the lane, build a pedestrian pathway, you put in the lighting THEN you will have done a fair and decent job for all the residents, including future ones, NOT JUST for MR 39 KEYNSHAM STREET!!!!

Please come and see this lane for yourselves, drive your cars down there and please do not choose a one-off quiet day because, believe me, the reality is that I live in the house furthest down this lane and getting in and out of my garden is very stressful and that is even with the other users of this lane being nice and amenable and moving their vehicles backwards and forwards so I can get out. How the hell you think this lane can cope with more cars on a daily basis and even worse, pedestrians and bins, is only because you haven't really got a clue, so sincere thanks go to you for asking us, the people who must use the lane on a daily basis.

Not even the smallest sized skip can be delivered to my house when even ONE car gets parked on this lane!!! The lane is much more narrow than the agent of Mr 39 Keynsham Street has tried to lead you to believe!!

THE END

28 Hales Road
Cheltenham
Gloucestershire
GL52 6SE

Comments: 25th March 2014

We wish to strongly object to the plans for the erection of a single-storey 2-bedroomed dwelling to the rear of 39 Keynsham Street.

The presence of another dwelling on this lane is not desirable for many reasons: there are unanswered questions in the application regarding the disposal of foul sewage and the drainage system; it is further intrusion into the privacy of an established community within the Cheltenham Central Conservation Area; the house will look into the gardens where currently young children play with their parents and grandparents and deny the privacy which they have come to expect over generations in the quieter, rear part of residences which face the busy Hales Road; many residents in Hales Road also rely on parking in the lane and this development will obstruct their access; there are fears that fire engines will not be able to access the property in the event of a fire; and the visual aspect of a house unaligned with other dwellings will devalue the existing properties and only encourage other applicants to submit plans.

Comments: 12th May 2014

I wish to object on the following grounds:

- The risk to the community in the event of a fire in this narrow lane, through which fire engines would have major problems transiting;
- The lack of water, lighting and sewage services and areas where refuse bins may be left out to be collected;

- The damage done to the wellbeing of the current residents of this Cheltenham Conservation Area, whose only quiet area is at the rear of their properties; their houses face the very busy through road which comes off the A40;
- The hazards to the residents, pedestrians and cars passing the lane opening in the event that cars have to reverse back out of the lane onto the very busy Hales Road/London Road junction;
- The eyesores which would be facing the residents in their gardens and back bedrooms as they look out, not on to gardens, but other residents who are on top of their lane;
- And, finally, the lowering of quality of life for residents, some in their declining years, in an established community.

47 Keynsham Street
Cheltenham
Gloucestershire
GL52 6EN

Comments: 10th March 2014

As a resident of Keynsham Street I feel strongly that the proposed development should be rejected and future development of additional residences should never be permitted within the gardens of properties in Keynsham Street and Hales Road.

My property is sufficiently close to the sole development fronting onto this lane to observe the detrimental impact that such an application has already had on this area. This development is a bungalow built within the gardens of existing properties in Keynsham Street. The view of this existing development from a first floor window is dominating. It is far from aesthetically pleasing and far from appropriate. This precedent should not be used to justify further developments, it should be a lesson learned and never repeated. My residency on this street is not so long as to have been able to comment on the application for the existing bungalow development. However, I know that many of the residents who did object feel let down by the decision at this time .

The style of properties built in the period of our homes is inherently dark and often damp. Sunlight would be limited as it has been by the previous bungalow development on this lane and I would also question whether air movement (much needed to provide natural ventilation to these important buildings) could also be affected.

I completely promote sympathetic and successful development of the properties within this conservation area. Any development that tastefully adds to the longevity of these homes by adapting living spaces to better suit modern lives should be encouraged. To do so would reward both the individuals inside but also rejuvenate and add value to the entire street. The proposed development is not in keeping to the area, detracts from the value of any property backing on to the development (including the proposing property) and propagates a terrible precedent. The sole beneficiary of this development is the applicant by selling off this land/these developments at an increased value. This gain comes at the great expense of those residents wishing to continue life in their homes, chosen and shaped to be something they are proud of. I suggest to capitalise on the unwanted land that the applicant instead approaches residents who may wish to utilise that space as intended, as a garden.

As a designer myself I would be ashamed to propose a development so opposed to the intent of this conservation area. The increased foot and vehicular traffic brings unwanted attention to a quiet and secluded lane. I consider an increase in this traffic to be detrimental to the character of this lane, the condition and additionally to security with so many garages lining the lane.

Please do not grant this development permission for development, with or without conditions.

1

I'm sorry this is late, I haven't been very well or my parent with Dementia so this was my first chance to write

24 Hales Road
Cheltenham,
S10 5
SL52 0SE

Re proposal 14/00395
at the rear of 39 Knapton Street

BUILT
Recd 7 APR 2014
ENVIRONMENT

Dear Sir/Madam

I have studied the proposed plans, believing them to show little or no thought in regards to its overall design that would reflect or enhance the area between two period terraces. Set amongst a tree rich conservation area, its existence in an already dense housing area I believe is inappropriate. One can't look out of our top windows without seeing the terrace behind our gardens and hence this proposal will take away the only real visual space between our properties. Any form of build will impact and ruin forever the green space our lane and the gardens ~~have~~ provided, since originally being an orchard and now garden land it has provided us established residents with a peaceful quiet area and privacy, providing us with respite from what has now become a very busy noisy Hales Road, not to mention the fumes emitted from traffic in particular in the summer months I myself am often forced to close the front window due to heavy smog of fumes that seems to take all day to disperse, thus only leaving the back garden and our lane and adjacent gardens to provide some peace and air from those fumes often wondering if those fumes fall within the safe levels determined by national/international guidelines within a residential area if you were to stand in our Road for even an hour, I believe you would

2

appreciate why our open peaceful space behind us holds such importance to us residents and why we all are all so passionate to preserve what this green space provides us with contributing to our wellbeing and enjoyment of us residents.

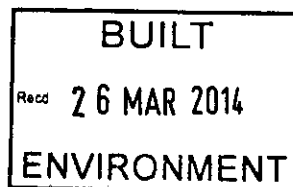
Any development of this nature will have a negative impact on local wildlife as I have said before, decreasing biodiversity, rich with many varieties of cherry trees, fruit trees, apple trees that were part of the original orchard of which one is on our land next to the proposed site, this whole area provides habitat to many variety of birds, a group of bats, Sparrows (whose numbers are already suffering from loss of habitat) frogs, squirrels, providing a natural corridor for foxes, badgers etc, all this with the privacy and peace the area provides us is so important to so many of us who build housing, provide trees food for these natural residents that enrich our lives we all value this area which also provides a safe area for our children to play and cycle up and down in contrast to the road that is far too noisy and dangerous.

I also agree with one of my fellow residents regarding to accumulation of refuse bags at the entrance to our lane that begin to appear days before collection day, being put there by resident of the flat above the London Road shops who appear reluctant to find it difficult to drag a full bin down the lane on collection day so start piling the bags up (which on bin day most then bring these empty bins down and place said rubbish in these bins) however in the time these bags are left this brings with it health and safety issues, myself seen some of these bags compressed by forces ripped open and seen attracting a rat that I saw which was nice for the resident and four eating establishment nearby, not too mention the smell in summer

3)

more to the point if the residents of those flats
- find it impractical to pull these bins down the
Lane, bearing in mind they are close to the
Entrance to our Lane, presumably the residents on
the proposed site would find it near impossible
to drag a full bin down as they would be
3x the distance and when the Lane floods,
or is full of snow and ice over and totally
dangerous (more like an ice rink) then those
residents would potentially adopt this dumping
or bags culture and further adding to the problem.

- Furthermore our Lane was designed for use
or singular horse and carriage to provide coal etc
to the residents of Hals Road, in which over history
the condition of the Lane has deteriorated and is not
appropriate in width or surface to sustain an increased
or regular use, it is 'whit' too narrow at most points
for cars to pass, causing further danger to pedestrians
with cars reversing back into Hals Road; near busy
traffic light. BT the other work had to locate a
driver who had parked out side their garden, which
- is their site but had to be asked to move so the
BT Van could pass, we as residents are more aware
or their than anyone reducing our regular use, increased
use will only add to further problems, development
and further use of this area will affect the quality
of lives of us all, human and other that have chosen
to live here, surely our needs and quality of life is important
too? For these reasons and others made by fellow residents
are most definitely against any housing development in
this peaceful valued area,



[REDACTED]
4 Hales Road
Cheltenham
GL52 6SE

Cheltenham Borough Council
Planning Department
Municipal Offices
Cheltenham
GL50 1PP

22nd March 2014

Dear Sirs

Re : Planning Application 14/00395/FUL

I am writing to express my concerns in connection with the above which reflect my previous letter to you regarding planning application 13/01719/OUT.

Firstly, the lane at the rear of my property is for access to garages/gardens for Keynsham Street and Hales Road residents. It has no address. It is not a made up road and in bad weather there are many waterlogged potholes. A few residents kindly fill these when they get too bad with rubble/grit. It will of course be worse if more vehicles are using it.

Extra housing with added vehicles will cause problems with parking and manoeuvring into garages; there is only one entry/exit to the lane from Hales Road. It also came to light when consulting residents of Hales Road regarding the previous application, that on some of their property plans it showed their boundary exceeds the back wall taking up some of the back lane behind their properties which would reduce the width available for development and access.

There is no way refuse vans or emergency services could access property built in this lane. At the moment the one property recently built (with no address), has to take dustbins to Hales Road entry to lane. This means that with London Road shop flats backing onto lane and any other properties having to use this to leave bins, the access or public footpath will be compromised.

If this planning is granted, there will inevitably be more resident in Keynsham Road wishing for planning consent for dwellings.

I trust you will consider these points when making any decisions.

Yours faithfully

[REDACTED]