APPLICATION	NO: 14/00415/FUL	OFFICER: Mr Martin Chandler			
DATE REGIST	TERED: 3rd April 2014	DATE OF EXPIRY: 29th May 2014			
WARD: Pittville	9	PARISH: LECKH			
APPLICANT:	Ms L Shortland & Mr D Snowdon				
LOCATION:	Devonshire House Wellington Road Cheltenham				
PROPOSAL:	Part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with new ancillary living accommodation at first floor				

#### **REPRESENTATIONS**

Number of contributors	14
Number of objections	9
Number of representations	1
Number of supporting	4

Apartment 13 Grosvenor House 13 - 19 Evesham Road Cheltenham Gloucestershire GL52 2AA

Comments: 20th May 2014

I live in the apartments on Evesham Road overlooking Pittville Mews.

Currently my views are over car parks and two modern developments and across to the gardens of the house on the corner which I believe to be Devonshire House. The garages at the back of the house are scruffy and out of keeping with the immaculate house and grounds.

After receiving two letters addressed to "Neighbours" from a Mr (a neighbour apparently) urging me to oppose the plans, I looked at the proposals for these buildings and believe that from my point of view they will actually be a vast improvement.

Apartment 14
Grosvenor House
13 - 19 Evesham Road
Cheltenham
Gloucestershire
GL52 2AA

Comments: 20th May 2014

I wish to object to the reference Planning Application on the following grounds:

The plan is not complimentary to the surrounding neighbourhood, particularly with regard to the architecture and the quality of the listed buildings.

The proposed building will provide a negative outlook over the adjacent properties and will infringe on the owners privacy and quality of life.

In addition, the plan will create a precedent, if allowed, for other developments to be at the proposed height of the planned structure.

I wish the review of this application to take into account my objections.

Garden Flat 1 Pittville House Wellington Road Cheltenham Gloucestershire GL52 2AE

Comments: 1st May 2014

Letter attached.

The Coach House 7 Pittville Mews Cheltenham Gloucestershire GL52 2BA

Comments: 25th April 2014

Letter attached.

Flat 1 2 Pittville House Wellington Road Cheltenham Gloucestershire GL52 2AE

Comments: 16th May 2014

I object to this proposal on the following grounds;

#### 1. Historical Background

A central trust of the application is that the proposed building will replace an historical two storey coach house which had living accommodation. There is no supporting evidence to prove that there was a two storey building on this site. In the planning application the words 'likely' and 'probably' are liberally used. Much spin is made in the application of the likelihood of staff would have resided at this address in the role those responsible for looking after horses and associated apparel. In fact, contradictory evidence is shown in the 1841 census where only three adults are recorded at Primrose Lawn (Devonshire House). Of these, one is a male and head of household and the other two are young females. This census is taken at the prime timeline when the function of such live in staff in such roles would have been normal. Therefore it is reasonable to state that no staff was employed in that role at that time. The more likely reason for this was that there was no accommodation available at the stables and hence no second storey building.

As a comparison, Pittville house had a substantial coach house which is now in the form of 7 Pittville mews The 1841 census shows clearly that amongst its seven staff members, three were male. They were certainly more likely to have been resident as coach and stable staff. The scale of the coach house with its staff (7 Pittville Mews) for Pittville house clearly clashes with the diminutive footprint of the buildings that is shown in the historical maps offered in the application.

### 2. Visual Impact in a sensitive location to listed buildings

From the plans submitted, which are somewhat vague in their proportions, I consider that the building will have a significant impact on the adjoining curtilages. The total height as I understand it will be considerable and would be overbearing from the eye line of normal vantage points. Any claims of this being low impact need to be treated with caution as I have certainly not had any Architect panel personnel look from my rear windows. I note that with the previous applications (04/00948/FUL and 04/00949/LBC) the planning officer made the correct observation at that time with a similar two storey building would have 'undue presence in a sensitive location'. I consider this the correct judgment. The same person has now considered that there is a fundamental change in the application. I cannot witness any tangible differences that lessen the impact in what is a very sensitive area.

### 3. The application does not satisfy all Planning policies

Namely the following:

PPG15 and sections 16(2), 66(1), and 72(1) of the planning (Listed building and conservation areas) Act 1990.

Sections 7 and 12 of the NPPF; and is contrary to Policies CP7, CP3 and BE10 of the Cheltenham Borough Local Plan.

#### Conclusion

This is a conservation area and the most sympathetic approach would see an application that has no second storey level. A one storey proposal would satisfy more generally the policies above. I believe most officials and observers would agree with this sentiment; after all the clue is in the word 'conserve'.

1 Pittville House Wellington Road Cheltenham Gloucestershire GL52 2AE

#### Comments: 11th April 2014

Thanks for your time on the phone today regarding my queries and concerns about the recent Devonshire house planning application. As I said on the phone I envisage that we may well have some fundamental objections to the proposal on historical and other grounds.

My aim today was to draw your attention to some issues with the submission of the plans in this application in that they seem to be confusing and lacking in detail around specifically what is being proposed.

I appreciate you taking the time to talk me through the application today to decode it and I also hear your suggestion to come into the council offices to look first hand at the plans to make further sense of them. I will do this.

This afternoon I took the opportunity to consult with a professional who has now looked at the plans. The feedback I have received is strong surprise at the lack of detail in the plans. What I would very much like to see is a cross section and also a block plan. Is it possible to request this as my concern is that without this we are a little in the dark? If we had these then we could properly assess the proposed development and judge the potential impact on us as neighbours (we live at 1 Pittville house) and also consider the impact on the surrounding area.

Comments: 19th May 2014

Letter attached.

Flat 4 Devonshire House Wellington Road Cheltenham Gloucestershire GL52 2AE

### Comments: 18th May 2014

I live in Devonshire House and have use of the communal gardens next to the current garage and coach house.

The proposal represents a much needed improvement on the current buildings and I am particularly impressed that rather than following the lead of the other garage and coach house properties in Pittville Mews the development is sympathetic to the house itself. The coach house will be in keeping with the traditional sizing of coach houses at that time and I am struggling to understand how neighbours living across the road in Pittville Lawn will be affected by a loss of light as I live in the garden flat and will not be affected.

We are fortunate at Devonshire House that we have only four apartments, three of which have off road parking and a garage. The proposal will provide two further car parking facilities and despite the size of the garden and grounds will further limit our impact on the surrounding area.

Flat 3 Devonshire House Wellington Road Cheltenham Gloucestershire GL52 2AE

### Comments: 19th May 2014

The proposal to improve the current outbuildings at the rear of the garden of Devonshire House has our full support. As members of the Devonshire House Residents Association, we wish to take this opportunity to address some of the objections to these proposals.

### 1. A neighbour's Legitimate Access will be restricted

The Devonshire House Residents Association has been shown a letter in which the neighbour offered to place a restrictor on the gates to the back of the adjacent property because they open into an area owned by a Devonshire House resident. It is our understanding that this work was done by the previous owner, and it is in breach of the original planning permission. Since we moved into Devonshire House in August 2012, the garden to the rear of the adjacent property has been used as a garden and I have only seen a car parked there once.

### 2. Objections on the basis it will be a separate dwelling

There are four apartments in Devonshire House, two of which are owned by the applicants and two owned by ourselves and Mr Chris Spencer, respectively. The Devonshire House Residents Association, of which we are all members, is in agreement that the improvements to the outbuildings will not form a separate dwelling.

### 3. Objections on historical grounds

The Devonshire House Residents Association has been informed of all the proposals relating to the property. It is our understanding that the applicants, our neighbours, took all possible steps prior to the application being submitted to the Council to ensure that the proposal was acceptable on conservation and heritage grounds. This has been their approach to all aspects of the improvements to Devonshire House over the years, and in our opinion, they have made a great contribution to the historical integrity of the building and it's surroundings. Specialists were employed to research the history of the site and meetings were held, as we understand it, with

Council Officers to ensure nothing was compromised. I would hope that any decision regarding this matter will be made on the grounds of the well-researched and professionally approved proposal and Council policy.

Flat 2 Devonshire House Wellington Road Cheltenham Gloucestershire GL52 2AE

Comments: 19th May 2014

Letter attached.

Flat 3 2 Pittville House Wellington Road Cheltenham Gloucestershire GL52 2AE

Comments: 27th May 2014

I am a resident of 2 Pittville House, and I feel that this building would seriously encroach on the privacy and light on our building. Three of the fur windows we have in our property overlooks where the building would be and would impair our quality of life.

I feel that not only would it be of visual detriment to adjacent residents it is also totally inappropriate to erect such a large building in what is actually part of someone's back garden. It would be overbearing and really out of character for this area.

I would also like to draw attention to previous applications for similar buildings - which were quite rightly refused.

I hope you will bear in mind the strong views of adjacent neighbours to the proposed building in this matter.

The Cheltenham Townhouse 12 - 14 Pittville Lawn Cheltenham Gloucestershire **GL52 2BD** 

Comments: 28th April 2014 Letter attached.

1 Clarence Road Cheltenham Gloucestershire GL52 2AY

Comments: 19th May 2014

Letter attached.

98 Evesham Road Cheltenham Gloucestershire GL52 2AL

Comments: 18th May 2014

Regarding Application 14/00415/FUL Devonshire House

I object to this application for the following reasons:

- 1. The historic buildings nearby should be afforded some protection from backdoor development.
- 2. The precedent of allowing second stories to be erected on outhouses and garages is inappropriate.
- 3. The so called "beds in sheds" is a national problem brought about by the national housing shortage. Many towns have tens of thousands of people living in converted outbuildings and garages. I am sure Cheltenham is already not immune from this phenomena and this application is an example of this type of unwanted urban development.

Flat 3 21 Pittville Lawn Cheltenham Gloucestershire GL52 2BE

Comments: 16th May 2014

I have reviewed this application and have several issues with it:

Pittville Lawn is one if the few streets in Cheltenham where all buildings are period and have not been tarnished with new builds. This proposed construction is not in keeping and no effort has been made in order to blend the building within the environment. Many buildings have been converted to flats and we are already struggling with car park spaces. Devonshire house does not own enough space within their grounds, so any new tenants will park in the street. We live just opposite the proposed build and are concerned that this new build will make our property dark, by lack of direct sunshine, which is already compromised by large trees. This is a very busy street and any new addition will make it overbearing, by its lack of free space and greenery. This build is only driven by financial gain and will not add to the community or architectural beauty if our street. The gate has just been renovated through sheer efforts and patience of the people living in that area, and we are just about to destroy the period beauty if this street with an eyesore. I am not against new build and some modern addition can be beautifully merged with period property. In this case, the build is boring and not a testimonial of a great architectural effort or thinking.

BUILT

Reed 30 APR 2014

ENVIRONMENT

The Garden Flat

1 Pittville House

Wellington Road

Cheltenham

Glos

GL52 2AE

Dear Sir/Madam

Re: Devonshire house planning app (Ref: 14/00415/FUL 14/00415/LBC)

I live at the above address and I am writing to express concerns regarding the plans to develop at Devonshire House next door.

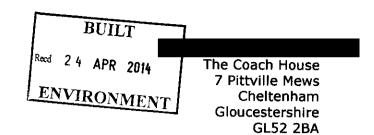
From looking at the plans I am concerned that the height and proximity of the proposed building would be overbearing, thus affecting light to the rear basement window and privacy to the garden. I also feel that a development of such size is excessive in what is essentially someone's back garden.

If the planning is approved then I also have concerns that this may set a planning precedent for overdevelopment in what is a picturesque area of town with parks and gardens nearby.

I would be grateful if you could take such matters into consideration during the decision making process.

Yours sincerely





Your ref: 14/00415/FUL & 14/00415/LBC

24 April 2014

Cheltenham Borough Council

FAO: The Planning Officer: Mr Martin Chandler

Municipal Offices

Promenade

Cheltenham

Gloucestershire

GL50 9SA

Dear Mr Chandler,

Proposal: Part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with new ancillary living accommodation at first floor at Devonshire House Wellington Road Cheltenham.

I live opposite the Garage and the Garage/outbuilding referred to in the proposal which are a distance of approximately 20 feet (Being the width of the ROAD SURFACE) from the FRONT of my Property - situated in PITTVILLE MEWS.

### I wish to object to the proposal for the following reasons.

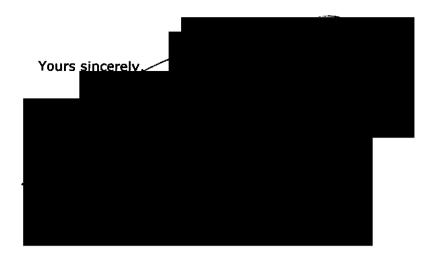
From my understanding of the plans, the proposed height of one of the existing Garages/outbuilding would be approximately 20 feet which would not, in my opinion, be a suitable building in such a position and would cause a loss of daylight to my property to include my Courtyard which currently enjoys the early morning sun rising from the East.

Furthermore, I would refer you to the Previous Proposals in 2003 and 2004 BOTH OF WHICH WERE WITHDRAWN and I enclose herewith copies my objections to those Proposals at the time.

I would like to meet with you at the Site of these proposals to discuss my concerns in more detail prior to the Councils decision on the Proposal.

I look forward to hearing from you,

(Continued)



Enc: (1) Objections to the Proposals in 2003/4 (2) Photograph's of Existing Garage's



7 Pittville Mews Cheltenham Gloucestershire GL52 2BA Ddi number: Our ref: 01242 264313

04/00948/FUL 04/00949/LBC

Ask for:

Mrs Diana Jones

Date:

1st September 2004

Dear Sir/Madam

Re: Alteration and extension to existing flat roof single storey

outbuilding/store including addition of first floor and pitched roof

At: Halsey House Wellington Road Cheltenham

Thank you for writing about this proposal. Would you please note that the application(s) has been withdrawn.

Yours faithfully

L A Lee

Planning Technician





PITTVILLE MEWS CHELTENHAM GL52 28A 26 July 2004 YOUR KEF: 04/00948/FUL 04/00949/LBC PLANNING OFFICER: MAS DIANA TONES Leas Madam RE PROPOSED : ALTERATION AND EXTENSION TO EXISTING FEAT POOK SINGLE STOREY OUTBUILDING STORE INCLUDING ADDITION OF FIRST FROOR AND PITCHED ROOF AT HALSEY HOUSE WELLHOTON ROAD CHESTONHAM. I wish to object to the proposals submitted on the following grounds. OBSERVATION: The so called oursunomy forces in the opplication is and always has Deer, during my time leving at ? Lette elle Mew. since MARCH 1985 (19 = xeres), A GARAGE. OPTECTIONS I leady submit a copy of my letter to the Course dated 22 September 2003 which was submitted to the Courcil is regard to a previous

CONTINUED

CONTINUATION:

apply. It saw a she saw games still apply.

Jos thermore. I ender had that the HEICHT of the proposed building as now approximately 20 FEET.

I also enclose a fewther sho toprost of the existing BAKAGE for your alter two fobservations.

I look forward to bearing from you is the course.

ENCY COPY MY LETTER TO THE COUNCIL AND DATE 23/9/03



The Owner/Occupier 7 Pittville Mews Cheltenham Gloucestershire GL52 2BA

Planning Officer: ddi Number: our ref: Mrs Diana Jones 01242 264313 04/00948/FUL 04/00949/LBC

Date

19th July 2004

Dear Resident

# <u>Proposed: Alteration and extension to existing flat roof single storey outbuilding/store including addition of first floor and pitched roof at Halsey House Wellington Road Cheltenham</u>

These applications have been registered with the Council. Before a decision is made, I invite you to inspect the submitted proposals and let me have any comments you wish to make, in writing, no later than 9th August 2004. Details of the applications are available for inspection during normal office hours and a Duty Officer, who may be able to assist with any questions, is available between 09.00 - 17.00 Monday to Friday and 09.30 - 17.00 Wednesday.

Any representations can be taken into account only if they are open to public inspection. This means that any written comments you make may be shown to anyone interested in the proposal. Although we will take your comments into account, there are other factors to be considered when making the decision. You may find the notes overleaf helpful in writing your comments.

You may find it helpful to discuss the applications with your local Councillor. The Ward Councillors for these particular applications are:

Councillor Mrs D L Hibbert 5 Finstock Close Cheltenham Tel: 237796
Councillor D J Prince 5 Finstock Close Cheltenham Tel: 237796

The Council operates a scheme of delegation. If the applications are to be decided by Planning Committee, the first available date will be 26th August 2004, however, they may be determined at a subsequent meeting.

If there is to be a committee decision, there may be an opportunity for you to address the committee members. If you would like further information please ask for our leaflet.

In the event of any appeal, I will forward any representations to the Planning Inspectorate and to the appellant unless you request me not to do this.

Please note that the heading to this letter may be abbreviated and should not be regarded as a complete description of the application.

Yours faithfully

Grahame Lewis

Assistant Director - Built Environment







7 Pittville Mews Cheltenham GL52 2BA Ddi number:

01242 264314 03/01368/FUL

Our ref:

0301367LBC

Ask for:

Miss Rebecca Foulds

Date:

13th October 2003

Dear Sir/Madam

Re: Raising height of existing garage and construction of pitched roof over

At: Halsey House Wellington Road Cheltenham

Thank you for writing about this proposal. Would you please note that the application(s) has been withdrawn.

Yours faithfully

L A Lee

Planning Technician



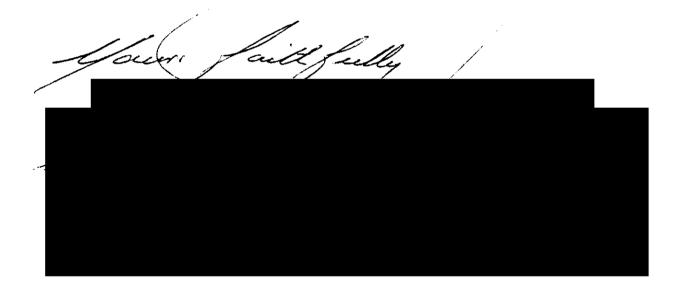


T PITTVILLE MEWS CHELTENHAM GL52 2BA IN The Commence with the Your REN 03/0/363 /EUL Dea Lon + 630/367 LBC RE PROPOSED! RAISING HEICHT OF EXISTING GARAGE AND CONSTRUCTION OF PITCHED ROOF OVER AT HALSEY HOUSE. WELLINGTON ROAD. CHELTENHAM I wish to abject to the proposal submitted as the following grounds. graundi. 1. I have lived in Thelle Mew. seice March 1985 (18795+) and in all Hat line the projoned building for alteration has never been any their alter Mar a Garage. I the Leight of the proposed development is I believe appear 15' and if approved it will not andy aux lock my lawtyad it will prevent surly ht eising from the last reaching my Courtigard and my property e general.

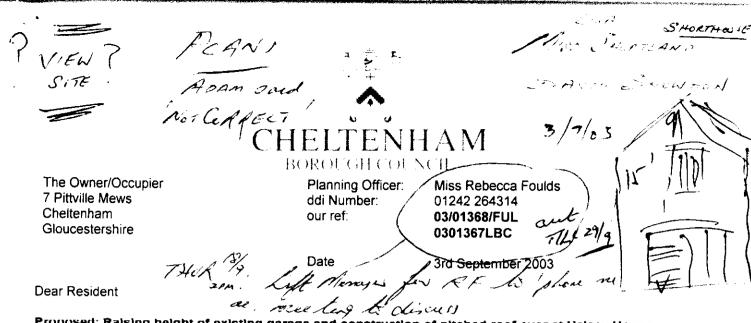
Continuation.

Fulthermore, I am concerned that the proposals could be the beginning of a larger project at a late stage to work the the sea games your

meet a ill menter of the plane is committee to discus, my concern in mon detail should they so wish



ENC: PHOTOGRAPH OF EXISTING GARAGE



# <u>Proposed: Raising height of existing garage and construction of pitched roof over at Halsey House Wellington Road Cheltenham</u>

These applications have been registered with the Council. Before a decision is made, I invite you to inspect the submitted proposal and let me have any comments you wish to make, in writing, no later than 24th September 2003. Details of the application are available for inspection during normal office hours and a Duty Officer, who may be able to assist with any questions, is available between 09.00 - 17.00 Monday to Friday and 09.30 - 17.00 Wednesday.

Any representations can be taken into account only if they are open to public inspection. This means that any written comments you make may be shown to anyone interested in the proposal. Although we will take your comments into account, there are other factors to be considered when making the decision. You may find the notes overleaf helpful in writing your comments.

You may find it helpful to discuss the application with your local Councillor. The Ward Councillors for this particular application are:

Councillor D J Prince, 15 Hillview Road Cheltenham 6252 5AE Tel: 234453
Councillor Mrs D L Hibbert, 5 Finstock Close Cheltenham 6251 64 Wel: 237796

The Council operates a scheme of delegation. If the application is to be decided by Planning Committee, the first available date will be 9th October 2003, however, it may be determined at a subsequent meeting.

If there is to be a committee decision, there may be an opportunity for you to address the committee members. If you would like further information please ask for our leaflet.

In the event of any appeal, I will forward any representations to the Planning Inspectorate and to the appellant unless you request me not to do this.

Please note that the heading to this letter may be abbreviated and should not be regarded as a complete description of the application.

Yours faithfully

Grahame Lewis
Assistant Director - Built Environment











C

1 Pittville House Wellington Road Cheltenham GL52 2AE



Cheltenham Borough Council P.O.Box 12 Municipal Offices Promenade, Cheltenham, GL50 1PP

16<sup>th</sup> May 2014

For the attention of Mr Martin Chandler, Planning Officer

Dear Martin,

PLANNING APPLICATION NO 14/00415/FUL & 14/00415/LBC: Proposed part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with ancillary living accommodation at first floor level at Devonshire House Wellington Road Cheltenham

We write in connection with the above planning and listed building consent applications. We have examined the plans carefully and researched the historical and heritage aspects. We know the site well; in fact our rear garden wall abuts the width of the proposed development and our rear gate access is inside the proposed line of the development.

We wish to strongly object to this proposed development on a number of important and relevant grounds.

### 1) Objection in principle to a two storey building on historical grounds:

We have a fundamental objection to this development in that there is no tangible evidence of any precedent of a *two* storey 'coach house' with living accommodation having ever existed on this site. The assertion that there may have been one is clearly not supported by the facts:

Fact: the census records from 1841, 1851, 1861, 1871, 1881, 1891, 1901 indicate that there has been no "live in" coachman or stable boy. (See appendix A)

Analysis of archive photographs shows that there was indeed a low level single story outbuilding on the site but not a two storey building, and not one of the size being proposed by the developers in this application.

In the original deeds of covenant and general regulation of the Pittville estate there were very clear rules to the effect of not negatively affecting neighbours by actions:

"there is a general responsibility not to permit or suffer any act, deed, matter or thing which can, shall or may deteriorate or lessen in value any adjoining or neighbouring lands of property or any messuage or dwelling house erected thereafter"

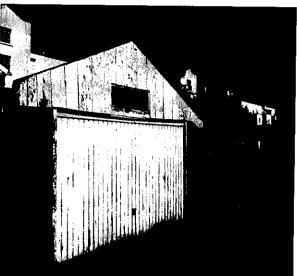
Since our residence Pittville House (constructed in 1827 by Julianna Charlotte Wade) was built before Devonshire house, formerly Halsey House and prior to Primrose Lawn, (by William Broughton in1832) then it is not conceivable that a two storey building would have been allowed in such close proximity to Pittville House and The Cheltenham Townhouse 7 years later because of the negative impact on two such prominent buildings on the Pittville estate. Indeed, a two story building would have looked directly into the main reception area of The Cheltenham Townhouse. The picture below indicates the proximity of the proposed development (which is the small, white garage building with the side widows and flat, black roof near the left of the photo). The building opposite the proposed development site in the picture is the original coach house for Pittville House.



Given the prominence of Devonshire House it would absolutely have been expected to have a coach house and stables in the grounds of the property in the 1800's. Records we have identified support this e.g. advert in the Cheltenham Examiner newspaper on March 1<sup>st</sup> 1905 page 5 column 1; 1909 Lloyd George survey of land values hereditament no (GA/D2428/2/40,4028). It is noteworthy that both these records point toward the existence of a small stable for up to two horses. This is very different in scale (and footprint) from the significantly larger stables, ostlers quarters, tack room and coach house associated with Pittville House and later Evesham House. (see appendix B).

The facts and evidence point clearly (in the specific case of the outbuildings of Devonshire House) to the stables and coach house being single storey buildings without accommodation. A potential example of how this may have looked is evident in attached photograph of a small coach house turned into garage adjoining original stables in Pittville service road behind Malden Road (see below)





The building as proposed is unacceptable in principle based on the historical evidence we have gathered and the objective assessment of the scheme against that evidence. As a starting point the application is contrary to the principle of sustainable development in the NPPF; is specifically contrary to sections 7 and 12 of the NPPF; and is contrary to Policies CP7, CP3 and BE10 of the Cheltenham Borough Local Plan.

# 2) Objection to the proposed location on basis of loss of Amenity and effect on the neighbourhood

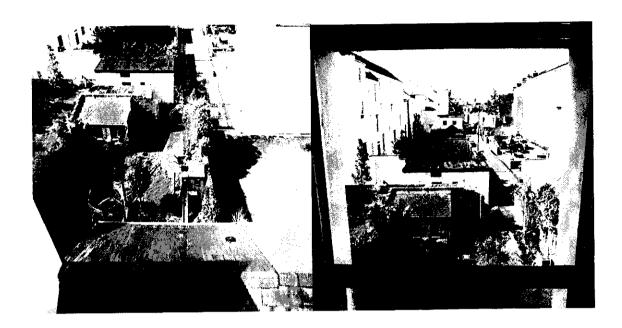
The reason we chose to live in Pittville House is twofold; 1) The benefit of our South facing aspect, view and garden, and 2) The historical and beautiful regency architecture and surrounding listed buildings which we imagined would remain constant and not be inappropriately developed due to the relevant planning laws and heritage, conservation and listed building protection.

We are gravely concerned by the negative impact this development would have on our amenity and way of living as well as that of our neighbours in the Coach house (Pittville Mews) and the Cheltenham Townhouse Hotel (Pittville Lawn) which is a busy and thriving regency hotel representing Regency Cheltenham to over 50 visitors every week. We specifically want to object on the following grounds:

### 2.1 Overbearing & visual impact on our property and neighbourhood

The proposed development would sit directly at the bottom of our garden and tower over our rear wall significantly (with considerable change of roof line), negatively affecting our outlook and the view from our kitchen/main living space /dining area/outdoor seating.

We have 14 windows overlooking the proposed development site: The photo on the left (below) is the view from our daughter's bedroom, the one on the right from our bathroom.



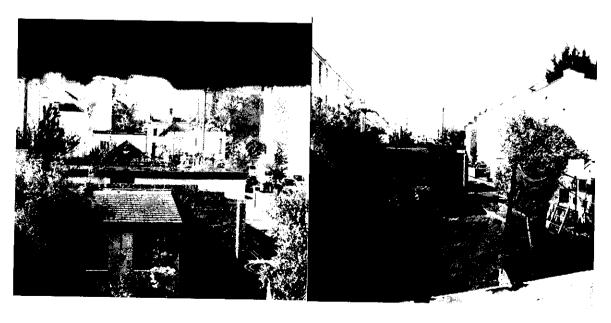
The photo (below, left) is the view from our first floor landing, the one on the right of the outlook from our second floor landing:



The photos overleaf are the views from our kitchen windows looking directly on to the proposed development site:



The photo (below, left) is the view from our stairway leading to the first floor landing, the photo on the right a view from our decking area:



The proposed development effectively doubles the height of the existing building and would be within 8 metres of our primary living space and our outside living deck which, as seen above, would face directly onto it across the width of our property.

# 2.2 Overshadowing and overlooking our property, affecting our enjoyment and privacy

With two small children we all very much enjoy a south facing, private and quiet garden which would undoubtedly be compromised. We would suffer a loss of light to our garden (particularly in the winter months where the sun is low lying). Our garden is of a very small size and a two-storey building directly adjacent to it would overshadow it and be overbearing, leading to us being unable to enjoy our amenity.

The proposed development has skylight windows which may directly overlook our property (as evidence from the photo's above); without proper elevation and cross-section plans it is difficult to work out how high the roof level windows would lie in relation to the windows of the proposed development and thus for us to ascertain the exact aspect the ancillary living space would afford, however due to the height and scale of our residence it would almost undoubtedly overlook into our widows and be an invasion of our privacy. Indeed, this would also be the case for the proposed ancillary dwellers as we would be able to look into their ancillary living space as our bathroom and two of our bedrooms lie on the side overlooking the building.

Human Rights Act Article 8 states that: 'a person has the substantive right to respect for their privacy and family life'

2.3 Overbearing and loss of privacy to adjacent properties

The Coach House property on Pittville Mews lies directly opposite the building and the Townhouse hotel on the opposite side of the proposed development would suffer similar issues; both these properties would also be harmed by privacy and be overlooked and overshadowed by a proposed development. In the photo below, the Townhouse Hotel (and main reception widows directly adjacent to the development) can be seen on the left, the Coach House directly opposite on the right.



For all the reasons set out above under section 2 of this letter, the proposed development is contrary to Policy CP4 and the Local Plan, and section 7 of the NNPF concerning good design in general terms. Due to the adverse and significant impacts of the proposal, the application is also not sustainable as required by the NPPF.

# 3) Objection on the basis of a Cheltenham Council Planning Department precedent:

There exists previous negative council planning responses and letters regarding two strikingly similar applications made by the same developers in 2003/4 for development on the same site. Archive files 04/00948/FUL and 04/00949/LBC (see appendix C for letter from the Council). The design and height of the proposed building closely resembles the previous applications, all be it the floor area is bigger.

The previous applications made in 2003 and 2004 were reviewed by Diana Jones (at that time a planning officer employed by the council and presently a planning consultant to the applicants). In the letter of 19.8.04 planning officers put forward robust views as to why listed building consent and planning permission would be refused/would not be given (see letter in appendix C). In particular the response states:

" I am unconvinced that the works are historically appropriate and would result in a building of undue presence in this sensitive location" and " the proposals are contrary to national guidance set out at PPG15 and sections 16(2), 66(1), and 72(1) of the planning (Listed building and conservation areas) Act 1990...etc"

There have been no changes in planning policy since 2003/4 to mean that the current applications should be considered any differently. There are no public benefits whatsoever related to this proposal and so in line with NPPF 133 and 134, regardless of whether the harm caused by this application is substantial or less than substantial, there is undoubtedly harm and the scheme should be refused; just as it was in 2003/4.

4) Objection to the proposed design of development being out of character with the surrounding conservation area and prominent listed buildings in the neighbourhood

The proposed development would differ significantly to the surrounding neighbouring properties in the area. The plans show a **modern looking**, **narrow and overly tall design with a significant change of roofline**. This would not be a sympathetic addition to the neighbourhood. It is out of context amongst an area dominated by large, primary regency properties. The proposed development would adversely impact a site of architectural and historical value. Our property (Pittville House) is a prominent grade 2 listed building which has been awarded a blue plaque in recognition of its heritage.



As aforementioned the council planning department stated clear and strong objections to the previous application for development of this garage (which was subsequently withdrawn). We have included the file notes and letter of objection in Appendix C).

The design of the building is thus ill conceived and ill proportioned in relation to the surrounding architecture consisting of period properties, the visual impact on the area and character of the neighbourhood would be compromised and would serve the purpose of potential functional/capital gain above a consideration for local residents and the character of conservation area and listed building curtilage.

In design terms the proposal is contrary to Local Plan Policy CP3 and CP7 concerning design and sustainable environment, and again section 7 of the NPPF relating to design and section 12 concerning the historic environment. Due to its poor design, and inappropriate siting and scale, and adverse impacts on the locality, the proposed development is also contrary to policies BE5 (boundary enclosures in conservation areas), BE6 (back lanes in conservation areas) and BE10 (boundary enclosures to listed buildings).

Cheltenham Borough Local plan: 5.14 New buildings will normally need to respect the special character and quality of the area. Unsuitable alterations or extensions to buildings in conservation areas can be particularly harmful, for example alterations to the form or line of a roof and the excavation of basement areas, which are both liable to detract from the proportions of a building and its relation to adjoining properties. Changes of use can also erode the character, as well as the visual appearance, of conservation areas.

# 5) Objection against the proposed requirement and purpose of the development

Devonshire House currently has 3 outbuildings, a garage to the front and the two garage/shed buildings that are planned to be developed. It also has a further, newly

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built parking area (see below, left photo of the garage in the front, below right for the proposed development site and below these the newly developed gated parking area). The proposal is not compatible with existing use; it represents the over development of a garage in a conservation area for a listed property that already has extensive accommodation, outdoor storage buildings and car parking space.





Local residents have expressed concern that the abovementioned gates were not erected according to the approved Council Planning measurements, and are now indeed wider than the submitted and approved plans. The proposed development would be extended to directly abut our rear gate and we too are concerned that the same may happen to the new development and prevent/restrict our rear access and use of our gates. See below for a picture of the proximity of the proposed extension to our rear gate, the proposed development would be to extend the near building to the end of our rear garden wall:



In addition, the proposed development site has had windows installed (see above, the views from our windows) which are not present and indicated by the original drawings and plans submitted in the 2003/4 and present application, which leads toward further concern that the developers will not adhere to any approved plans and applications. Listed building consent should have been sought for these alterations, which have already been carried out and are unlawful. This gives us no confidence that any future works would be carried out correctly.

The application states that the proposed development site cannot be seen from a public road. This **is incorrect**. The site can clearly be seen from Pittville Mews and also Pittville Lawn . Indeed, the Holst Museum which attracts many visitors to Cheltenham looks directly Pittville Mews road on which the proposed development would lie. In the photos below one can see the view from the public road of Pittville Lawn (left) and the outlook from Pittville Mews (right, overlooked by the Holst Museum). The proposed development would significantly negatively change the view down this road and mask a significant proportion of Devonshire House from the south part of Pittville Mews. The height of the roof would come up to the 2<sup>nd</sup> window on the far left of the Cheltenham town house hotel (left picture above). This is a very significant change in roofline and obscures two primary listed buildings.



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A further, worrying concern is that this may pave the way and set a citeable planning precedent for future, similar developments, allowing garages and storage shed's to be converted into saleable, living accommodation. Given the importance of this sensitive location and of Pittville park more generally we believe it is important that the area is not overdeveloped inappropriately.

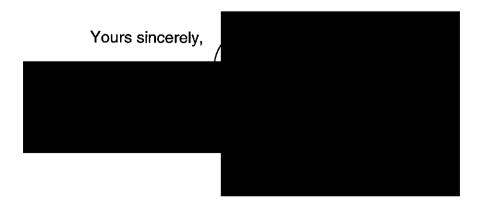
### In Conclusion

We object strongly to the proposed development on historical (plus listed building and conservation area factors) as well as amenity grounds. We believe that this development would be overbearing, out of keeping with the surrounding area and have a negative impact.

Of course we would very much like to see these run down garages refurbished, invested in and used by the owners. However, if the worst comes to the worst, what would make a development on this site more acceptable would be a revised application which would:

- 1. Maintain consent for current use for garaging and storage and <u>not living</u> <u>accommodation</u>. Since the applicants own three of the four flats at this property, already have 3 garages and a newly built, gated parking area we see little reason for their need to expand living accommodation and storage
- 2. Maintain the current height of the northerly garage so it remains beneath our wall and does not affect our light or outlook
- 3 Maintain the current height plus additional 1-1.5 metre for pitched roof if required of the southerly garage
- 4. Guarantee that skylight windows will not overlook our property and affect our privacy
- 5. Define a clear site plan to ensure our rear access is not affected negatively

If this application is to be referred to planning committee please take this as notice that we would like to speak at the meeting.



**Appendix A** Copies of Census records from 1841, 1851, 1861, 1871, 1881, 1891, 1901 indicate that there has been no "live in" coachman or stable boy.

**Appendix B** Ostlers quarters, tack room and coach house associated with Pittville House

**Appendix C** Letter of 19.8.04 in which planning officers put forward robust views as to why listed building consent and planning permission would be refused/would not be given to this development

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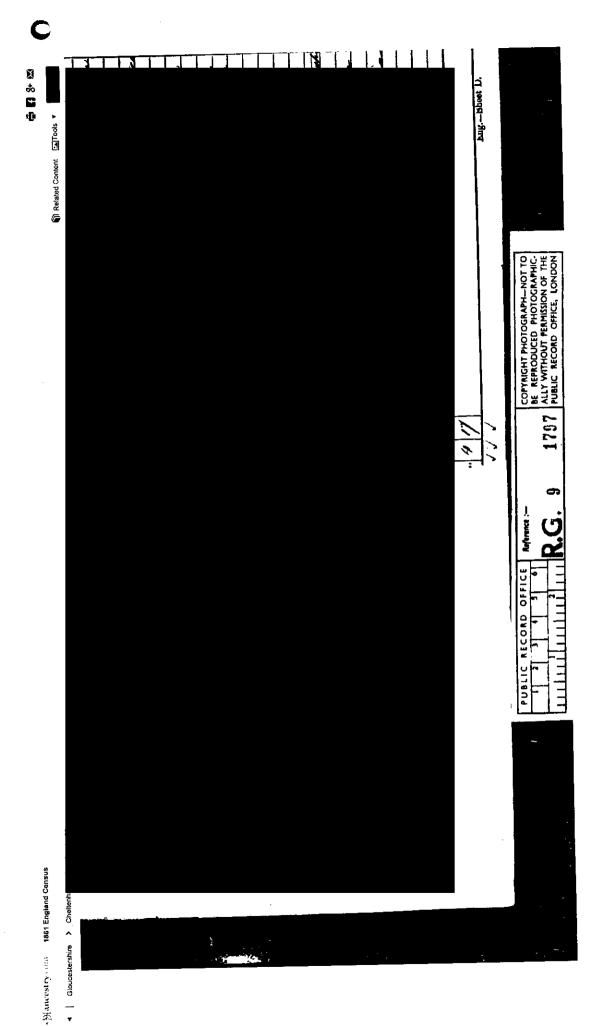
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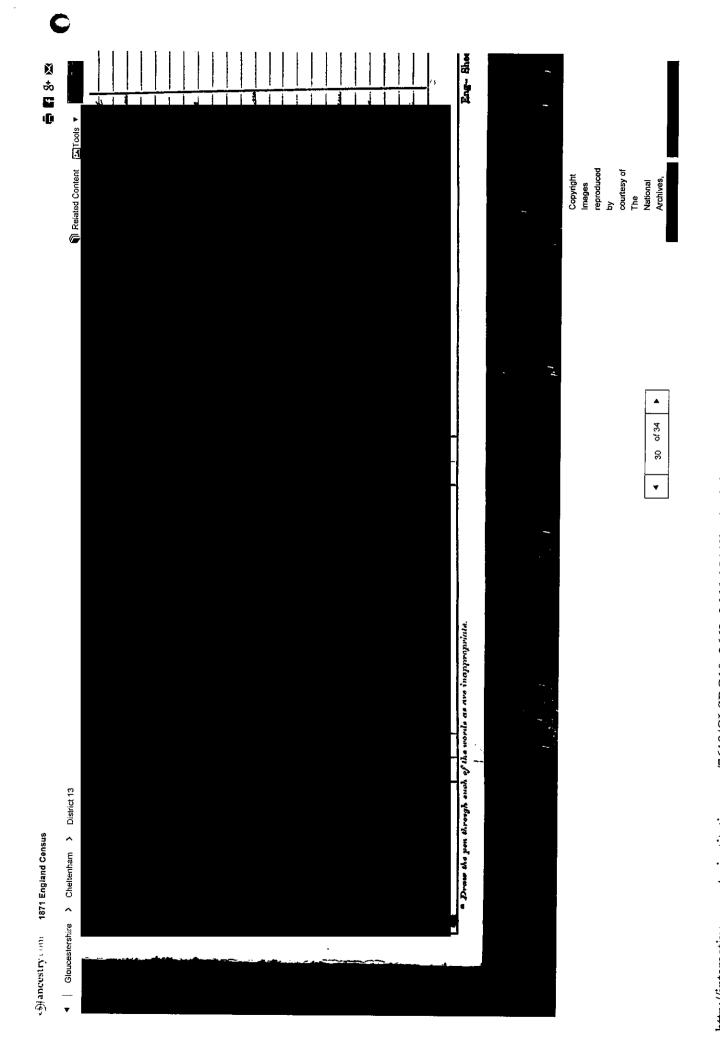
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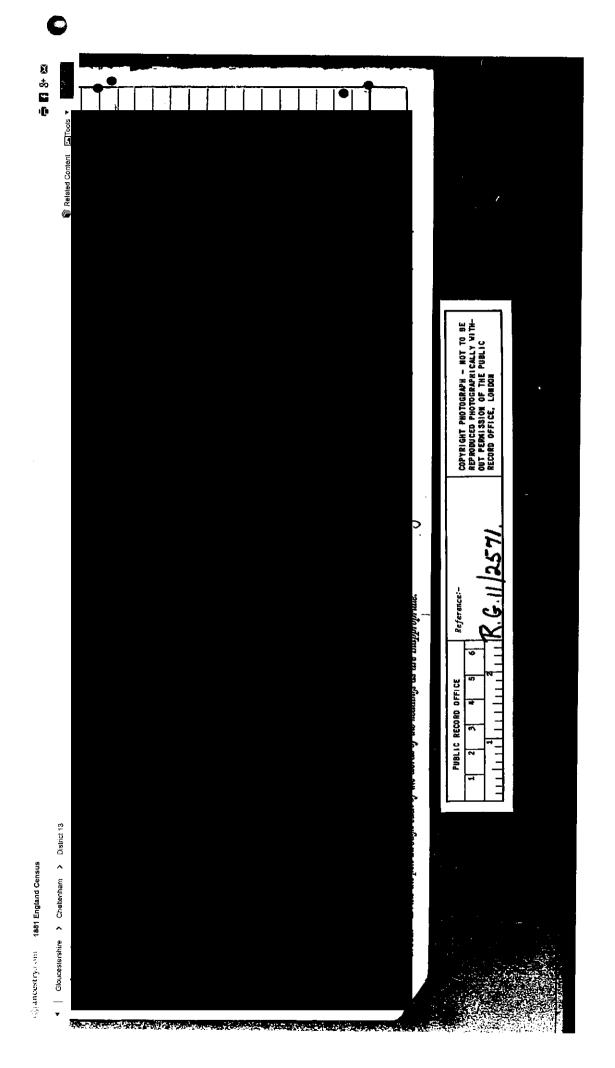


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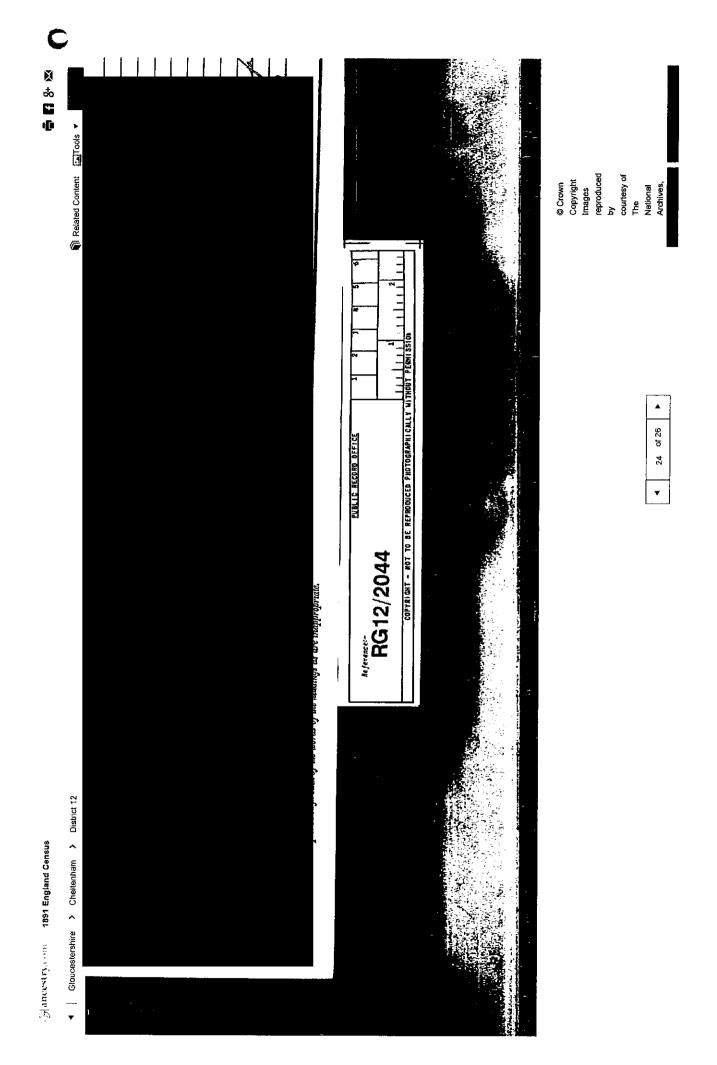
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# Pittville: 150 years of history in perspective

stant replay are Christmas and birthdays. At ther end of the continuum though, one can visualise Old Father Time himself making elwyn Froggitt - thumbs-upping and chortiit's magic!" as he scythes down memory lane s personal index-linked bank of a myriad

monarch's Silver Jubilee has already inteed at least a place in Britain's history for and its link with 1952. Now reach back a er fifty years, to 1902; a memorable date for heltenham Chamber of Commerce, founded it year following upon a proposal by James Agg-Gardner, the town's M.P. and the first lent of its association.

i that's where my own personal picture of y starts to take shape; for in 1902 Mr. J. T. lardner owned Evesham House which faces Pittville Park and stands squarely next to lle House, a grandish mansion designed by Forbes (architect of the Pump Room, et ana) built by Joseph Pitt, creator of the Pittville

ht, let's go on from there. Or rather, back there; perhaps with the help of an up-anding writer of that era, one H. G. Wells. Putting ience-fictional but nonetheless fabulous Time ine (invented 1895) in reverse drive, we phorically whizz back another 75 years — to

a good year for the arts (death of Beethoven he potter Spode) nor, with the destruction at rino of the Turkish and Egyptian fleets, for either! And although he didn't know it at the George IV had a mere three years of exgant living left on his royal plate.

### Cheltenham's twin

vever, Joseph Pitt must have been feeling nably chuffed that year; his grandiose plans ie Pittville Estate (originally intended as a town to Cheltenham) were maturing nicely, n March his solicitors completed the sale of show house" (the afore-mentioned grandish ion, Pittville House) to Juliana Charlotte , a widow of the parish.

w, part and parcel of this handsome itament were the coach houses, stables, sadom and ostlers' quarters, comprised in an Ld building standing two storeys high beyond id of the garden. (Nota Bene: Very Important of personal brush with history!!).

ping the Time Machine into forward drive, ide along twenty years at about 40 words-perte. It's 1847. Young Victoria has been Queen eat Britain and Ireland for just ten years. In ity, they're talking about the Californian Gold , and in the clubs of Pall Mall about this

· Aug Town states -

NY STUFF, HISTORY. It's mostly a matter. Brigham Young feller who's founded the State of Australia) is played. The Queen is declared

ple, the only dates that the very young have ville Estate development never will achieve the magnificence originally planned for it. Pittville. House has been owned by Jane Wade spinster, well-mellowed now by 50 years of gracious since the death of her mother, Juliana, in 1835; residents. It is Miss Wade's wish that, one day, Mr. leaving Jane a calamitous £2,000 mortgage debt — McDonell shall have her house. plus the sum of £500 to be paid to a certain James Webster who was occupying the house at the time. A lot of loot in those days!

### Not just the numbers

But history is more than just a numbers game, a wooden box for dates. It really is a study in perspective. Look, move along the continuum to 1877 - and we'll try to line it up for you.

Since our last look-in they've seen a few bad scenes; the Crimean War (1854), the Indian Mutiny (1857), the American Civil War (1861-65), and the Franco-Russian War of 1870. As for poor old Colonel Custer, he had his last stand in 1876.

On the lighter side, 1867 saw Sam Moreland making matches in Gloucester, Disraeli "dishing the" Whigs" at Westminster, and the Russians flogging Alaska to America for \$7 million. Unfortunately, all these interesting events occured too prematurely to be reported in the Glos. Echo (Est.

But to 1877 (just a century ago, you'll sagely remark). The first Test Match (M.C.C. v.



THE PITTVILLE Mews cottage. Originally the coach house, stables, saddle room and oatler's quarters to Pittville House, it was known as Evesham House stables when bought on 1903 by James Tynte Agg -Gardner.

Empress of India, and in that far-off sub-continent, at a Bengal Civil Service Desk, sits William Frazer McDonell, the favourite nephew of Jane Wade, rightful owner of Pittville House — a residence

### A deeper perspective

Is the picture, in all its deepening perspective, getting clearer? Let's strengthen the image with some detail drawn from the next quarter-century.

Like Edison and Swan producing the first incandescent electric light in 1878; W. L. Murdoch reducing English cricket to Ashes in 1882, or Daimler making his first motor car in 1886. Not to mention Queen Victoria's Jubilee (1887), and her Diamond Jubilee ten years hence.

Pittville House is now 70 years old; its owner is William Frazer McDonell. No not the previous mentioned W. F. McD., he died in 1894; this is his son, who appears also to be following in Dad's civil service footsteps in Bengal.

Only logical, then, that he should arrange for his mother, Annie Louisa McDonell, to hold Power of Attorney on his behalf, to take possession and to discharge the affairs of Pittville House.

Following upon the Klondyke Gold Rush and the start of the Boer War in 1899, the capers at Kimberley, Ladysmith and Mafeking were each in their way - well, quite a relief!

### Turn of the century

So came the 20th century. Sadly, the old Queen died in January, 1901. On the other side of the world, six unruly British colonies developed into States, founded a federal government and became the Commonwealth of Australia.

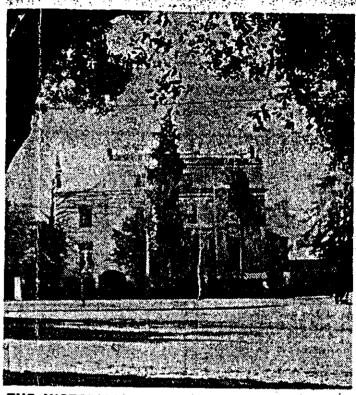
Which brings us back again to 1902. We find that Margerete Steiff has devised a new kind of cuddly toy and is calling it a Teddy Bear in honour of President Theodore (Teddy) Roosevelt; that the Boer War is over; and that James Tynte Agg-Gardner, M.P., has proposed the establishment of a Cheltenham Chamber of Commerce.

Pittville House is 75 years old. Next year it will be bought by a Mary Louisa Russell. But not the coach houses, stables, etc.; they will be purchased, just a fortnight later, by - guess who! - J. T. Agg-Gardner, Esq., of Evesham House.

Eleven future Vendors bring us up to 1977. The Mews Cottage (as it is now called) is 150 years old this very month. Writing these words, my eyes stray often to the courtyard; my ears can almost hear the clip-clop of hooves . . . the creak of leather

Now that's real historical perspective for you. As the faithful old Head Ostler probably said: "'Orses . , ? I've shod 'em!"

### By Roland Feven



THE HISTORICAL mansion enjoys a prime site in Wellington-road, overlooking Pittville Park. Designed by architect John Forbes and built by Joseph Pitt at the start of the Pittville Estate Development.

With complements:



### Conservation & Heritage Consultation response

Planning Officer: Diana Jones

Application No. 04/00948/FUL & 04/00949/LBC

Site: Halsey House, Wellington Road

LB Grade: II

Conservation Area: Central

**Proposal**: Alteration and extension to existing flat roofed single storey out building including addition of first floor and pitched roof

Further to: Drawings/Site visit/Meeting with Agent

Analysis of Site: These applications relate to an important Villa sited on the corner of Wellington Road and Pittville Lawn. This is a pivotal position in terms of the Pittville Estate and the property is seen in the round and is consequently very sensitive to alterations. The existing building is set at the extreme SW corner of the curtilage with direct access to Pittville Mews. There is no evidence regarding the original form of this building and 'reinstatement' is therefore a misleading term.

**Comments**: No justitication has been advanced in support of the scheme nor documentary evidence to support the detailed form of the proposals. The pitching doors are uncharacteristically deep and have a weak relationship with the proposed new brick arch. Furthermore, a coach house never has a pitching door in both gables especially facing into the garden of a high status house on the Pittville Estate! The proposed brick arches are incorrectly drawn and must intended as to be a brick faced Catnic-type lintel as opposed to a true brick arch. As drawn they would simply collapse if traditionally formed. The acutely pitched roof is also derived from vernacular precedents as opposed to mid C19 forms with slacker pitches and slate roofs. The existing lintel is probably correct. Minor outhouses in the town tend to have exposed timber lintels. The door width precludes against the use of the building for garaging, presumably the owners do not stable horses?

The proportion of the new roof and eaves appears more derived from the desire to create usable first floor area as opposed to accurate reinstatement. The ridge and eaves are simply set too high and create an oddly proportioned building more typical of a seaside fishing net drying shed than a modest coach house

In essence, I am unconvinced that the works are historically appropriate and would result in a building of undue presence in this sensitive location. If these works are to be accepted, a more typical coach house form should be sought together with a justification statement.

**RECOMMENDATION**: APPROVE/REFUSE/REFER TO SoS – SEEK AMNEDMENTS AS ABOVE

**Conditions**: Please reconsult on revised plans and I'll suggest conditions

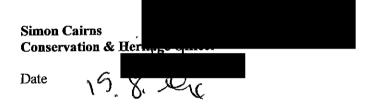
Otherwise a refusal is justified for the following reasons: Listed Building Consent:

The alteration of this curtilage listed building in the detailed manner proposed would result in a prominent structure in close proximity to Halsey House and adjoining listed buildings whose setting it is desirable to preserve. The proposed additions by virtue of their proportions and detailing without any justification or documentary evidence regarding the historic form of the

upper floor and roof would be speculative and unsubstantiated by reference to surviving buildings in the locality. Accordingly, the proposals are contrary to national guidance set out at paragraph 3.4 of PPG15 and Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

### Planning Permission: Refuse

The application site is located at the heart of the planned Pittville Estate within the Central Cheltenham Conservation area the character and appearance of which it is desirable to preserve. The alteration of this curtilage listed building in the detailed manner proposed would result in a prominent structure in close proximity to Halsey House and adjoining listed buildings whose setting it is desirable to preserve. The proposed additions by virtue of their proportions and detailing without any justification or documentary evidence regarding the historic form of the upper floor and roof would be speculative and unsubstantiated by reference to surviving buildings in the locality. Furthermore, the structure would be visible from Pittville Lawn and intrude upon the elegant boulevard of stuccoed villas. Accordingly, the proposals are contrary to national guidance set out at PPG15 and Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 in addition to policies NHE.6 of the Adopted Gloucestershire Structure Plan and GP3, GP4, BE8,BE30 of the Adopted Cheltenham Local Plan.



Apartment 2
Devonshire House
Wellington Road
Cheltenham
Gloucestershire
GL52 2AE

18th May 2014

FAO Mr Martin Chandler

Dear Mr Chandler

### Re: Planning application ref. 14/00415/FUL & 14/00415/LBC

I am contacting you with regard to the planning application for the reinstatement of a coach house and garage at the rear of Devonshire House. I am a member of the Devonshire House Residents Association and will be directly affected by the redevelopment and in my opinion the proposals represent a vast improvement on the current buildings and is in keeping with the age and grandeur of the house. The receipt of a letter which I found on the windscreen of my car has compelled me to write. This is one of two letters sent and I have been quite taken aback by the misleading information it and other objections contain and wanted to counterbalance them. The coach house is not for living accommodation but will provide ancillary accommodation for one of the apartments with garaging below. There is no plan to turn this into separate living accommodation and the garages will remain, one of which will eventually be owned by myself and I have no intention of using it for anything other than to park my car and store my bikes. I believe there has been some question over access but this proposal does not affect our neighbours legitimate right of access to their rear garden and in the year I have lived here I have seen a car parked in the garden only once a couple of weeks ago and the usual trampoline is now reinstated blocking this gateway.

I along with the architects panel and conservation support the proposal.

Yours faithfully,

## THE TOWNHOUSE

Martin Chandler Planning Department, Municipal Offices The Promenade Cheltenham GL50 1PP



26th April 2014

Dear Martin Chandler,

Objection to plans 14/00415/FUL & 14/00415/LBC

I am the owner and proprieter of The Cheltenham Townhouse Hotel, the existing garage abutts the boundary of my Hotel, I have grave concern with regard to this repeated application..

Historically, from the 1830 Plan of Pittville we can see the Joseph Pitt had no intention of placing a building in this position and this land was intended to be owned and part of the garden of what is now 14 Pittville Lawn. By 1834 this 10' wide parcel of land had transferred ownership to Halsey House and two outbuilding had been built, diagonally staggered. however these were not included in Pitt's original Plans.

I do not believe that this garage has ever been more than a single storey, certainly from living memory and confirmed by an aerial photograph from April 17 1951. See attached, this is a copy, but sufficient for you to see the layout as then, I have four original photos of this taken from different and angles and times of the day. What these photos tell us is that the south-west corner of the garage adjacent to the rear garden Wall of the hotel is the same height.

It appears that the North wall of the garage is higher than the South giving the roof an incline and a southerly aspect. The highest point of this structure is less half the height of the CoachHouse currently occupied by Mr Yorke-Draper as evident from the shadow.

On further inspection of the rear garden wall of the Cheltenham Townhouse, it appears that it may once have been higher as the buttresses now finish into the coping stone, I would have thought that there would have been several more courses on here, Looking at the bricks on the garage I suspect that the original height of this wall was between 8 and 10 feet above road level, the probable height of the southernmost wall of the garage.

# THE TOWNHOUSE

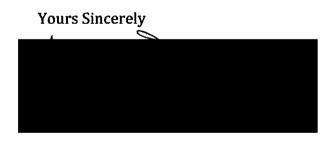
If it had ever been two storey the claimed floor levels and window heights would suggest an ancillary outbuilding that had superior status to a Principal dwelling 14 Pittville Lawn. With the coachman's quarters looking down and into one of the principle receptions rooms and having direct views into a main bedroom and across the garden of this principle house, Not a practice that was encouraged in this late Georgian period! I believe that it is ludicrous to suggest that such a structure was ever considered in such an intrusive, overbearing and oppressive position relative to number 14 Pittville Lawn.

Today is similar, this reception room is now used as the Reception for the Cheltenham Townhouse Hotel, standing at the desk where every guest begins and ends their stay in a quintessentially Cheltenham Townhouse guest often look out of the window and comment on the architectural scene. This view would be almost totally obscured by the proposed structure bearing down with its' occupants looking down on them. It would be a somewhat sad and incongruous start and end to a stay in such a fine and well proportioned property. The proposed development would have views up into what is one of our luxury bedrooms giving a loss of privacy and across our deck where guest relax all year, particularly in the summer.

The view of the southern elevation of this structure would appear incongruous from the rear gardens of both 12 and 14 Pittville Lawn and indeed the length of Pittville Mews as it is disproportionately high for such a structure and does not relate to the existing wall.

I am very concerned with the measurements, as the drawings are scaled and do not specify actual dimensions. There is no site plan giving the position of the proposed structure relative to the Cheltenham Townhouse Hotel, the building that it would impact most greatly upon.

Given the history of the characters making this application all dimensions must be specified clearly, not scaled, before this application can be further considered. It has long been the ambition of these people to create a dwelling in this position, at times even fencing off a considerable portion of the lawn of Halsey House, this left it truncated and it appeared dejected until the fence was removed. This is clearly only one of the steps to establishing such a dwelling now access and parking has been established from Pittville lawn for this and one of the flats in the house in what is an expanded double width gateway.





Aenel Proco 17/4/1951

1 Clarence Road Cheltenham GL522AY

Cheltenham Borough Council P.O.Box 12 Municipal Offices Promenade, Cheltenham, GL50 1PP

19th May 2014

For the attention of Mr Martin Chandler, Planning Officer

Dear Martin,

PLANNING APPLICATION NO 14/00415/FUL & 14/00415/LBC: Proposed part demolition of existing outbuildings and rebuilding to provide garaging/workshop/bike store with ancillary living accommodation at first floor level at Devonshire House Wellington Road Cheltenham

We write to object about the above planning application. FYI our aspect (front door and windows) look down Pittville Mews.

We wish to object to this proposed development because this is a protected conservation area and a listed building. We believe that the area should not be developed with modern looking buildings, in order to preserve the regency feel and heritage of the area.

This development would be overbearing and negatively affect both our own and our neighbours views. The design looks to be out of proportion to the site size and out of keeping and context with the surrounding neighbourhood.

If this sort of development is allowed it will be a sorry precedent for all and sundry to develop their garages into houses on their back garden. It would be unacceptable on this site and would have a negative impact given the history and heritage of the area.

Yours faithfully,