

APPLICATION NO: 14/00660/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 22nd April 2014		DATE OF EXPIRY : 17th June 2014	
WARD: Charlton Park		PARISH: CHARLK	
APPLICANT:	Mr Pete Leahy		
LOCATION:	16 Greenhills Road, Charlton Kings, Cheltenham		
PROPOSAL:	Erection of a single dwelling to the rear of 16 Greenhills Road and associated access drive, following demolition of existing attached garage and re-instatement of integral garage within existing dwelling		

REPRESENTATIONS

Number of contributors	9
Number of objections	9
Number of representations	0
Number of supporting	0

14 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 9th May 2014
Letter attached.

Comments: 9th June 2014
Letter attached.

5 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 27th May 2014

I would like to object to the proposed development above. It is another example of tandem development in the back garden of someone's house.

It directly contravenes the Council's own planning regulations and is against the covenants originally set on these properties by William Jordan that only one property should be built on each plot.

On a more practical note it is a poor concept of planning by encouraging garden infilling in this way which detracts from not only the attractiveness of the area but also adversely affecting the 'urban grain'.

Examining the submitted plans the design of the property is totally out of sync with the current properties along the entire length of the road.

Having yet more driveways opening onto this already busy road is not in any way advantageous, nor a good use of the limited land. This proposal does not allow for any amenity space either. If allowed the precedent will be set for a further 20 or so single drives opening onto Greenhills Road further detracting from an area Cheltenham Council should be proud of.

On a wider point yet more pressure on the local schools and amenities which are already oversubscribed is of concern too.

I would urge the Council to reject this application and support the local residents to protect this area, already sandwiched between two areas of conservation.

Comments: 2nd June 2014

The revised plans do nothing to improve this application. The many letters of objection from local people and the Parish council explain the issues clearly and these have not been resolved in any way. I would urge that these original letters are still considered for the revised proposal as part of the evidence gathering.

I appreciate the Council is under significant pressure to increase housing but this proposal is entirely inappropriate.

The amendments are minor and do nothing to improve its appearance. The house is not in keeping with the current properties in the area and would not blend in. It is very different to the dormer style 'chalets' which have been previously allowed to reduce the impact on neighbours. The height has been reduced minimally but not significantly.

The footprint of the house is simply too large for the location leaving too small a garden for such a property. It is worth re-mentioning this is a tandem development which is actively discouraged by the Council's own working documents.

The opening of yet another drive with limited view onto the busy road is worrisome too. Along with the comments made previously this proposal should not be accepted and the Planning Committee should have the resolve to reject it for the reasons discussed in the correspondence.

White House
6 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 12th May 2014

I wish to object to this proposal on the grounds that it does not conform to the agreed provisions made by your department and the developer with our Residents Association when the initial planning permission was agreed for Charlton Gardens which was the initial development on this area.

The agreement was that such houses are of a dormer style so that the visual impact is reduced. Presently the proposal shows a house which is too high and therefore invasive on present residences of immediate neighbours.

We now therefore look to the department to implement the precedent which was set on this occasion. This has been done successfully in 1-5 Hayman Close and 174 Old Bath Road a total of eleven houses.

I understand that there is no point in opposing the application if the regional office in Bristol will overturn the decision but in view of the recent flooding and the governing alliance rhetoric on 'the lungs of the towns and cities and the paving of natural drainage areas diminishing the soaking

away of rainwater' is it worth considering the refusal to develop being upheld on the basis of this enlightened thinking?

14 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 9th May 2014
Letter attached.

Comments: 6th June 2014
Letter attached.

South Lawn
9 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 5th June 2014

The revised application seems not to have addressed any of the points of objection raised regarding the previous application which is very disappointing. My previous comments still stand.....

We oppose this application on the grounds that

The NPPF does not encourage development on private residential gardens.

The proposed development would not be in keeping with the area and would change its character. In particular the architectural style is completely out of character for the area.

The NPPF framework includes a principle to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value (Section 17 page 6). However the framework also specifically excludes private residential gardens from the definition of previously developed land (Annex 2 page 55). It follows that the NPPF does not encourage development on private residential gardens.

Despite the recent development of some gardens in the area when applications were approved under the outdated policy (now superseded by NPPF), the overall character of the area is one consisting of relatively large gardens. Continuing developments such as the one proposed would undoubtedly adversely change this character. The large house proposed with a very small garden is inconsistent with the character of the area.

Creeping development of this nature will also incrementally bring increased health and safety risks in an area already notorious for its busy traffic and narrow pavements along which schoolchildren walk.

There would also be an adverse impact on the privacy of neighbours which would be unacceptable. The proposed house is situated far too close to the northern boundary of the plot.

South Lawn
9 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 29th April 2014

We oppose this application on the grounds that:

The NPPF does not encourage development on private residential gardens.

The proposed development would not be in keeping with the area and would change its character. In particular the architectural style is completely out of character for the area.

The NPPF framework includes a principle to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value (Section 17 page 6). However the framework also specifically excludes private residential gardens from the definition of previously developed land (Annex 2 page 55). It follows that the NPPF does not encourage development on private residential gardens.

Despite the recent development of some gardens in the area when applications were approved under the outdated policy (now superseded by NPPF), the overall character of the area is one consisting of relatively large gardens. Continuing developments such as the one proposed would undoubtedly adversely change this character. The large house proposed with a very small garden is inconsistent with the character of the area.

Creeping development of this nature will also incrementally bring increased health and safety risks in an area already notorious for its busy traffic and narrow pavements along which schoolchildren walk.

There would also be an adverse impact on the privacy of neighbours which would be unacceptable. The proposed house is situated far too close to the northern boundary of the plot.

Brown Gables
8 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 1st May 2014

Letter attached.

Comments: 4th June 2014

Letter attached.

7 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 1st May 2014

Letter attached.

Comments: 6th June 2014

Letter attached.

Merton House
6A The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 7th May 2014

We strongly object to this proposed back garden development because:

- a. It would have a significant impact on the neighbouring properties. The immediate neighbours would suffer considerable loss of privacy, and the proposed two storey house would visually impact an even greater number of surrounding homes.
- b. The house is too big for the proposed location, which is also very close to the North, East and West boundaries.
- c. The design is totally out of keeping with the surrounding properties, especially the metal roofs.
- d. There is very little provision for off-road parking in the proposed property plan and a greatly reduced area for the existing property. This will increase the likelihood of visitors parking on Greenhills Road, which is quite narrow at this end of the road, and create a serious bottleneck on what is now a major route in the area.

We note the Tree Survey is not consistent with the Proposed Plans (revised or superseded). It appears to be based on a previous plan that was not submitted and therefore needs updating. We hope the Planning Committee rejects this application and then this inconsistency will not be relevant.

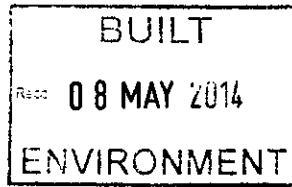
Comments: 6th June 2014

We have looked at the revised plans (as of 29 May) and we remain strongly opposed to this development, especially as it is an even bigger house, because:

- a. It would have a significant impact on the neighbouring properties. The immediate neighbours would suffer considerable loss of privacy, and the proposed two storey house would visually impact an even greater number of surrounding homes.
- b. The house is too big for the proposed location, which is also very close to the North, East and West boundaries.
- c. The design is totally out of keeping with the surrounding properties, especially the metal roofs.
- d. This is another development of a back garden in the area and eventually there will be no large gardens and the green space will be lost. More building will lead to increased flooding in heavy rain.
- e. There is very little provision for off-road parking in the proposed property plan and a greatly reduced area for the existing property. This will increase the likelihood of visitors parking on Greenhills Road, which is quite narrow at this end of the road, and create a serious bottleneck on what is now a major route in the area.

Furthermore, this tandem development conflicts with the planning guidance given in the Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document, June 2009.

We note the Tree Survey is not consistent with the Proposed Plans (revised or superseded). It appears to be based on a previous plan that was not submitted and therefore needs updating. We hope the Planning Committee rejects this application and then this inconsistency will not be relevant.



14 Greenhills Road
Charlton Kings
Cheltenham
GL53 9EB

Tracy Crews –Head of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
The Promenade
Cheltenham
GL50 1PP

Email: b44mike@yahoo.co.uk

8 May 2014

Hand Delivered and
Email: michelle.payne@cheltenham.gov.uk

Dear Ms Crews,

Proposed erection of extra house – 16 Greenhills Road - 14/00660/FUL

I wish to object to the above application on behalf of Green Avenue Limited who own three of the boundaries which would surround the proposed new dwelling. I set out below the grounds of our objection.

The scheme proposes a single dwelling with a footprint of 132sqm (excluding the garage and bin store) be built in the rear garden of number 16 Greenhills Road located close to the Northern boundary. Misleadingly described as "a modest three bedroom dwelling", the actual ultra modern design proposed is alien to this urban area. The additional house proposed is two storey and measures in total approximately 2500sqft of living area.

The proposed additional house is separated from numbers 15 and 17 Greenhills Road and by 7 & 8 The Avenue by a ransom strip owned by Green Avenue Limited. The design will be highly visible and seriously affect the privacy of considerably more properties in this neighbourhood. We object to the proposed scheme for the following reasons:-

Relevant Policy

On 27 March 2012 the government published the **National Planning Policy Framework (NPPF)** which confirms at paragraph 58 "that the Government attaches great importance to the design of the built environment". The National Policy requires development to "take the opportunities available for improving the character and quality of an area" and states that permission should be refused for development that does not.

The Cheltenham Borough Local Plan Second Review, although adopted in July 2006 contains saved policies that are in conformity with the NPPF and which therefore are material in the consideration of this proposal.

In particular, Policy CP7 sets out that development will only be permitted where it:

- (a) is of a high standard of architectural design; and
- (b) adequately reflects principles of urban design; and
- (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3).

The "**Principles of Architectural Design**" set out in the Local Plan stress that the alteration of existing buildings should demonstrate a creative response to a specific site and locality and that particular attention should be paid to

- the urban grain (the pattern and density of routes, street blocks, plots, spaces and buildings of the locality) and
- the size of the building its elements and its details in relation to its surroundings
- massing (the arrangement, volume and shape of the building)
- height (the effect on shading views skylines and street proportion)

The **Supplementary Planning Document "Residential Alterations and Extensions February 2008"** notes that "Cheltenham has an image of an elegant spacious town with groups of well proportioned buildings set in generous gardens" and acknowledges that the spaces between the houses, and the greenery contribute to this character.

The purpose of the Guide is to ensure that the character of each of the residential areas is not eroded through un-neighbourly poorly designed residential properties. It is intended especially for use in residential areas that are not protected by conservation area status, where good design is as essential as it is in the historic parts of the town.

The Design Guide notes that the spaciousness of the town derives from spaces at the front back and sides of buildings. "Glimpses of trees, gardens and the surrounding hills are essential if the spacious character of the town is to be maintained. The Council will maintain such spaces between buildings to prevent a terracing effect between existing houses."

The emerging **Draft Gloucester Cheltenham & Tewkesbury Joint Core Strategy** policy S4 requires proposals for all new development to demonstrate how the development will "respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form and ensuring that new development is of a scale, type, density and materials appropriate to the site and its setting"

The Character of the Area

Although Greenhills Road does not fall within a conservation area, it is nevertheless a pleasant but busy road with an open aspect which is characterised by large houses set within large plots. No 16 is around 0.17 hectares -the house has been extended to the rear and in other areas. It is a feature of the road that each of the individually designed dwellings is set in ample green space. There are restrictive covenants on every property including No 16 Greenhills Road (GR1165) which flow down from title GR957 which permit not more than one dwellinghouse per plot of land. The restrictive covenant specifically prohibits "outbuildings behind or so as to extend beyond the back of the dwellinghouse to which it belongs" for a very good reason-any such erection would impact on the urban grain.

The proposed extra house will result in a massive loss of garden for the footprint of the house, garage and the driveway needed to link it to Greenhills Road, which would be totally out of character with the street scene The proposed extra house is for this reason at odds with the urban grain.

Scale and Massing

The development proposed would result in a doubling of the footprint of buildings on the current No 16 plot, as well as a 4 metre wide roadway to the Eastern side of the plot. As such the scale of the proposed extra house is inappropriate.

The massing of the proposed property being a 2 storey building built close to the northern boundary is inappropriate. It will result in an over bearing development with no sunshine falling on the garden at the Northern end. It is contrary to Local Plan Policy CP4 relating to safe and sustainable living which seeks to prevent development which would cause unacceptable harm to the amenity of adjoining land owners.

Privacy

All the properties on Greenhills Road and The Avenue have always enjoyed privacy in their rear gardens. Permitting a further house to be built at No 16 would be a massive loss of privacy to all the houses in the immediate vicinity.

Overdevelopment

The proposed dwelling results in an overdevelopment of the GR1165 plot of land. In February 2005 a 2 storey extension was permitted and now the owner wishes to demolish the garage that was built then for the sole purpose of building on his garden.

Materials, Size and Design

The application is totally inappropriate. The proposed design is far too large and is contrary to Local Plan Policy CP7 relating to design. The steel roof would be an eyesore which is completely out of keeping with the neighbourhood and extremely noisy during rain storms. The dwelling's external design is certainly not complimentary to the age and style of properties in this area. The proximity of the building to the fence ensures that the north facing "garden" for the new property will be in permanent darkness –almost certainly it will be paved/concreted to leave no remaining greenery.

Effect on Area/Traffic

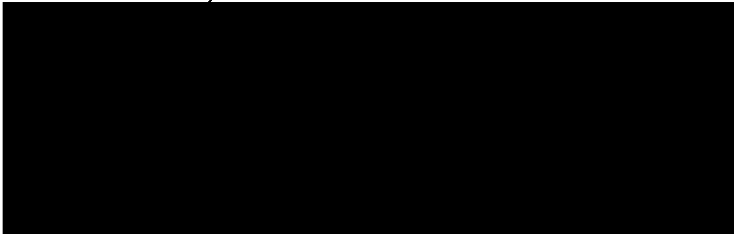
Greenhills Road is an established rat run for traffic on that side of Cheltenham. In rush hour, the traffic is static in both directions from Sandy Lane to Pilley Bridge making it extremely difficult to turn right or left from the properties on the North side of Greenhills Road. When traffic is flowing it is like a drag strip for many drivers who seem to wish to do 40-50 mph by the time they pass 14/15/16 Greenhills Road. Cyclists regularly use the pavements in lieu of the road, presenting another unpredictable danger. Boundary walls or hedges are only a pavement width from the road. A substantial house added at the back of No 16 brings further certainty of a serious traffic accident. And where is the required amenity for the occupants of such a new property (or indeed for the residents of the original much reduced No 16)?

Conclusion

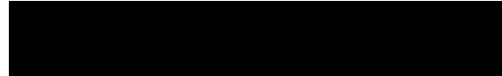
The National Planning Policy Framework requires that good design should "contribute positively to making places better for people." This proposal is out of character with the area. It does not represent a good design and it has a seriously detrimental impact upon residential amenity. It should not be allowed. It is contrary to development plan policies to build on this garden area. There are no material considerations that would justify a departure from development plan policy in this case.

We therefore urge the Council to refuse this inappropriate application to build an extra property on the land comprising GR1165.

Yours faithfully



Tracy Crews –Head of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
The Promenade
Cheltenham
GL50 1PP



6 June 2014

Hand Delivered and
Email: michelle.payne@cheltenham.gov.uk

Dear Ms Crews,

Proposed erection of extra house – 16 Greenhills Road - 14/00660/FUL

I have reviewed the revised plans for 16 Greenhills Road as you advised in your letter of 29 May 2014. The changes are relatively minor and naturally I still wish to object to the above application on behalf of Green Avenue Limited who own three of the boundaries which would surround the proposed new dwelling.

I have taken the opportunity to set out below the grounds of our objection in the context of the council's published guidance, especially: Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document, June 2009. This gives specific guidance on appropriate development on garden land and is inline with the requirements of the National Planning Policy Framework.

The scheme proposes a single dwelling with a footprint of 134sqm (excluding the garage and bin store) be built in the rear garden of number 16 Greenhills Road located close to the Northern boundary. Misleadingly described as "a modest three bedroom dwelling", the actual ultra modern design proposed is alien to this urban area. The additional house proposed is two storey and measures in total 2594 sq ft of living area.

The proposed additional house is separated from numbers 15 and 17 Greenhills Road and by 7 & 8 The Avenue by a ransom strip owned by Green Avenue Limited. The design will be highly visible and seriously affect the privacy of considerably more properties in this neighbourhood. We object to the proposed scheme for the reasons set out below.

GARDEN LAND DEVELOPMENT

The Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document, June 2009, gives clear guidance as to what sort of development on garden land and infill sites is and is not acceptable, that is inline with the requirements of the National Planning Policy Framework paragraph 53 that states:

Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Hence we consider this Supplementary Planning Document (SPD) to be key guidance in considering this application. Page 36 of the SPD states:

On a rear garden site, single 'tandem' development which shares the same access or even the same plot as the frontage development, will not normally be accepted.

The proposed 'tandem' development is contrary to the SPD and whilst we acknowledge this type of development has been permitted at No. 17 (but not yet started) this does not necessarily create a precedent for other similar developments being permitted in the road/ area. Tandem development is not encouraged within the SPD for very good planning reasons and if more of this type of development is granted consent then the planning harm identified in the SPD will be multiplied. The neighbours all objected to the proposed development at No. 17 with one exception, No. 16 whose motivation is now clear. At the end of the day what

would the street / community be like if every property in the road undertook tandem development? It would totally change the character of the existing neighbourhood and the quality of life and amenities enjoyed by the residents.

The SPD (page 39) describes why a rear garden development should be on a reduced scale compared with the frontage houses. So not only is this tandem development inappropriate, but the scale at nearly 2600 sq ft of living space is comparable to the original houses on Greenhills Road.

DESIGN

On 27 March 2012 the government published the **National Planning Policy Framework (NPPF)** which confirms at paragraph 58 "that the Government attaches great importance to the design of the built environment". The National Policy requires development to "take the opportunities available for improving the character and quality of an area" and states that permission should be refused for development that does not.

The Cheltenham Borough Local Plan Second Review, although adopted in July 2006 contains saved policies that are in conformity with the NPPF and which therefore are material in the consideration of this proposal.

In particular, Policy CP7 sets out that development will only be permitted where it:

- (a) is of a high standard of architectural design; and
- (b) adequately reflects principles of urban design; and
- (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3).

The "**Principles of Architectural Design**" set out in the Local Plan stress that the alteration of existing buildings should demonstrate a creative response to a specific site and locality and that particular attention should be paid to

- the urban grain (the pattern and density of routes, street blocks, plots, spaces and buildings of the locality) and
- the size of the building its elements and its details in relation to its surroundings
- massing (the arrangement, volume and shape of the building)
- height (the effect on shading views skylines and street proportion)

The **Supplementary Planning Document "Residential Alterations and Extensions February 2008"** notes that "Cheltenham has an image of an elegant spacious town with groups of well proportioned buildings set in generous gardens" and acknowledges that the spaces between the houses, and the greenery contribute to this character.

The purpose of the Guide is to ensure that the character of each of the residential areas is not eroded through un-neighbourly poorly designed residential properties. It is intended especially for use in residential areas that are not protected by conservation area status, where good design is as essential as it is in the historic parts of the town.

The Design Guide notes that the spaciousness of the town derives from spaces at the front back and sides of buildings. "Glimpses of trees, gardens and the surrounding hills are essential if the spacious character of the town is to be maintained. The Council will maintain such spaces between buildings to prevent a terracing effect between existing houses."

The emerging **Draft Gloucester Cheltenham & Tewkesbury Joint Core Strategy** policy S4 requires proposals for all new development to demonstrate how the development will "respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form and ensuring that new development is of a scale, type, density and materials appropriate to the site and its setting"

The Character of the Area

Although Greenhills Road does not fall within a conservation area, it is nevertheless a pleasant but busy road with an open aspect which is characterised by large houses set within large plots. No 16 is around 0.17 hectares -the house has been extended to the rear and in other areas. It is a feature of the road that each of

the individually designed dwellings is set in ample green space. There are restrictive covenants on every property including No 16 Greenhills Road (GR1165) which flow down from title GR957 which permit not more than one dwellinghouse per plot of land. The restrictive covenant specifically prohibits "outbuildings behind or so as to extend beyond the back of the dwellinghouse to which it belongs" for a very good reason-any such erection would impact on the urban grain.

The proposed extra house will result in a massive loss of garden for the footprint of the proposed house, garage and the driveway needed to link it to Greenhills Road, which would be totally out of character with the street scene. The proposed extra house is for this reason at odds with the urban grain.

Scale and Massing

The development proposed would result in a doubling of the footprint of buildings on the current No 16 plot, as well as a 4 metre wide roadway to the Eastern side of the plot. As such the scale of the proposed extra house is inappropriate.

The massing of the proposed property being a 2-storey building built close to the northern boundary is inappropriate. It will result in an over bearing development with no sunshine falling on the garden at the Northern end.

It is contrary to Local Plan Policy CP4 (a) relating to safe and sustainable living which seeks to prevent development that would cause unacceptable harm to the amenity of adjoining land owners.

Privacy and Security

All the properties on Greenhills Road and The Avenue have always enjoyed privacy in their rear gardens. Permitting a further house to be built at No 16 would be a massive loss of privacy to all the houses in the immediate vicinity and will reduce the existing security of both 15 & 16 and all the neighbouring properties due to the driveway providing easy access to their rear gardens (again contrary to CP4 (a)).

Overdevelopment

The proposed dwelling results in an overdevelopment of the GR1165 plot of land. In February 2005 a 2-storey extension was permitted and now the owner wishes to demolish the garage that was built then for the sole purpose of building on his garden.

Materials, Size and Design

The application is totally inappropriate. The proposed design is far too large and is contrary to Local Plan Policy CP7 relating to design. The steel roof would be an eyesore and is completely out of keeping with the neighbourhood and extremely noisy during rain storms. The dwelling's external design is certainly not complimentary to the age and style of properties in this area. The proximity of the building to the fence ensures that the north facing "garden" for the new property will be in permanent darkness – almost certainly it will be paved/concreted to leave no remaining greenery and increase the risk of flooding that conflicts with CP3 (f) that seeks to minimise the risk of flooding as part of a sustainable environment.

Effect on Area/Traffic

Greenhills Road is an established rat run for traffic on that side of Cheltenham. In rush hour, the traffic is static in both directions from Sandy Lane to Pilley Bridge making it extremely difficult to turn right or left from the properties on the North side of Greenhills Road. When traffic is flowing it is like a drag strip for many drivers who seem to wish to do 40-50 mph by the time they pass 14/15/16 Greenhills Road. Cyclists regularly use the pavements in lieu of the road, presenting another unpredictable danger. Boundary walls or hedges are only a pavement width (1.45m) from the road. A substantial house added at the back of No 16 brings further certainty of a serious traffic accident. There was another car accident outside 14 Greenhills Road at the end of May. 3.18 of the SPD, Box 6 sets out Elements of Amenity which are considered important but not addressed in this proposal.

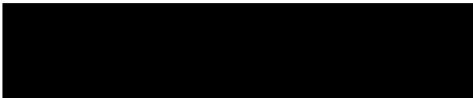
Conclusion

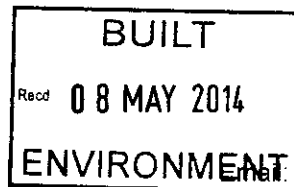
The National Planning Policy Framework (NPPF) requires that good design should "contribute positively to making places better for people." This proposal is out of character with the area. It does not represent a good

design and it has a seriously detrimental impact upon residential amenity. This development would cause harm to the local area and therefore conflicts with para 53 of the NPPF on garden land development and should not be allowed. Furthermore it is contrary to Cheltenham's SPD on garden development to build this large house in tandem style on a single plot. There are no material considerations that would justify a departure from development plan policy in this case.

We therefore urge the Council to refuse this inappropriate application to build an extra property on the land comprising GR1165.

Yours faithfully

A large black rectangular redaction box covering the signature area.A smaller black rectangular redaction box covering the name area.



Tracy Crews –Head of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
The Promenade
Cheltenham
GL50 1PP

mike.borrie@hp.com

7 May 2014

Hand Delivered and Email: michelle.payne@cheltenham.gov.uk

Dear Tracy,

Proposed erection of extra house – 16 Greenhills Road - 14/00660/FUL

I wish to object to the above application. I set out below the grounds of my objection as owner of No 14 Greenhills Road.

The scheme proposes a single dwelling with an additional footprint of 132m² (excluding the garage and bin store) to be built in the rear garden of number 16 Greenhills Road situated close to the Northern boundary. Misleadingly described as “a modest three bedroom dwelling” the actual ultra modern design proposed is alien to this urban area.

The additional house proposed is two storey and measures in total approximately 2500sqft of living area.

The proposed additional house is separated from my house by number 15 Greenhills Road, but will be highly visible and seriously affect the privacy of both No 14 and No 15 Greenhills Road. I object to the proposed scheme for the following reasons:-

Relevant Policy

The **National Planning Policy Framework (NPPF)** confirms at paragraph 58 “that the Government attaches great importance to the design of the built environment”. The National Policy requires development to “take the opportunities available for improving the character and quality of an area” and states that permission should be refused for development that does not.

The **Cheltenham Borough Local Plan Second Review**, although adopted in July 2006 contains saved policies that are in conformity with the NPPF and which therefore are material in the consideration of this proposal.

In particular, Policy CP7 sets out that development will only be permitted where it:

- (a) is of a high standard of architectural design; and
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- the size of the building its elements and its details in relation to its surroundings

- massing (the arrangement, volume and shape of the building)
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The purpose of the Guide is to ensure that the character of each of the residential areas is not eroded through un-neighbourly poorly – designed residential properties. It is intended especially for use in residential areas that are not protected by conservation area status, where good design is as essential as it is in the historic parts of the town.

The Design Guide notes that the spaciousness of the town derives from spaces at the front back and sides of buildings. “Glimpses of trees, gardens and the surrounding hills are essential if the spacious character of the town is to be maintained. The Council will maintain such spaces between buildings to prevent a terracing effect between existing houses.”

The emerging **Draft Gloucester Cheltenham & Tewkesbury Joint Core Strategy** policy S4 requires proposals for all new development to demonstrate how the development will “respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form and ensuring that new development is of a scale, type, density and materials appropriate to the site and its setting.”

The Character of the Area

Although Greenhills Road does not fall within a conservation area, it is nevertheless a pleasant but busy road with an open aspect which is characterised by large houses set within large plots. It is a feature of the road that each of the individually designed dwellings is set in ample green space. There are restrictive covenants on every property including No 16 Greenhills Road (GR1165) which flow down from title GR957 which permit not more than one dwellinghouse per plot of land and specifically prohibits “outbuildings behind or so as to extend beyond the back of the dwellinghouse to which it belongs”. Is it Council policy to actively encourage an owner to knowingly breach these covenants? The restrictive covenant for a very good reason-any such erection would impact on the urban grain.

The proposed extra house will result in a massive loss of garden area to accommodate the footprint of the house, garage and the driveway needed to link it to Greenhills Road, which would be totally out of character with the street scene . The proposed extra house is for this reason at odds with the urban grain.

Scale and Massing

The development proposed would result in a doubling of the footprint of the buildings on the current No 16 plot as well as a 4 metre wide roadway down the Eastern boundary. As such the scale of the proposed extra house is inappropriate.

The massing of the proposed property being a 2 storey building built close to the northern boundary is inappropriate. It will result in an over bearing development with a dingy rear garden which never sees sunlight. It is contrary to Local Plan Policy CP4 relating to safe and sustainable living which seeks to prevent development which would cause unacceptable harm to the amenity of adjoining land owners.

Privacy

All the properties on Greenhills Road and The Avenue have always enjoyed privacy in their rear gardens. Permitting a further house to be built in the rear garden of No 16 would be a massive loss of privacy to myself and others in the immediate vicinity.

Overdevelopment

The proposed dwelling results in an overdevelopment of the GR1165 site.

Materials, Size and Design

The application is totally inappropriate. The proposed design is far too large and is contrary to Local Plan Policy CP7 relating to design. The steel roof would be an eyesore which is completely out of keeping with the neighbourhood and extremely noisy during rain storms. The dwelling's external design is certainly not complimentary to the age and style of properties in this area. Design cues suggest it might be more appropriate on the Spanish Riviera? The proximity of the building to the fence ensures that the "garden" for the new property will be in permanent darkness –almost certainly it will be paved/concreted to leave no remaining greenery.

Effect on Area/Traffic

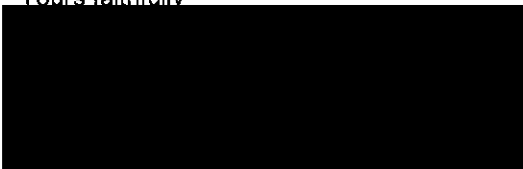
Greenhills Road is an established rat run for traffic on that side of Cheltenham. In rush hour, the traffic is static in both directions from Sandy Lane to Pilley Bridge making it extremely difficult to turn right or left from the properties on the North side of Greenhills Road. When traffic is flowing it is like a drag strip for many drivers who seem to wish to do 40-50 mph by the time they pass 14/15/16 Greenhills Road. Cyclists regularly use the pavements presenting another unpredictable danger. Boundary walls or hedges are only a pavement width (1.45m) from the road. A substantial house added at the back of No 16 brings further certainty of a serious traffic accident. And where is the required amenity for the occupants of such a new property (or indeed for the residents of the original much reduced No 16)?

Conclusion

The National Planning Policy Framework requires that good design should "contribute positively to making places better for people." This proposal is out of character with the area. It does not represent a good design and it has a seriously detrimental impact upon my residential amenity. It should not be allowed and neither should a single storey alternative. It is contrary to development plan policies to build on this garden area. There are no material considerations that would justify a departure from development plan policy in this case. I also note that the Tree Survey-Feb 2014 was not done for the proposed application and should be considered invalid.

I therefore urge the Council to refuse this inappropriate application to build an extra property on the land comprising GR1165.

Yours faithfully

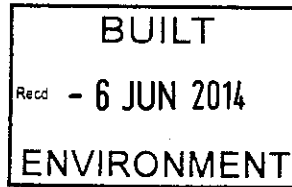


Copies:-

Cllr.penny.hall@cheltenham.gov.uk

Cllr.duncan.smith@cheltenham.gov.uk

14 Greenhills Road
Charlton Kings
Cheltenham
GL53 9EB



Tracy Crews –Head of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
The Promenade
Cheltenham
GL50 1PP

6 June 2014

Hand Delivered and
Email: michelle.payne@cheltenham.gov.uk

Dear Ms Crews,

Proposed erection of extra house – 16 Greenhills Road - 14/00660/FUL

I have reviewed the revised plans for 16 Greenhills Road as you advised in your letter of 29 May 2014. The changes are relatively minor and naturally I still wish to object to the above application on behalf of Green Avenue Limited who own three of the boundaries which would surround the proposed new dwelling.

I have taken the opportunity to set out below the grounds of our objection in the context of the council's published guidance, especially: Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document, June 2009. This gives specific guidance on appropriate development on garden land and is inline with the requirements of the National Planning Policy Framework.

The scheme proposes a single dwelling with a footprint of 134sqm (excluding the garage and bin store) be built in the rear garden of number 16 Greenhills Road located close to the Northern boundary. Misleadingly described as "a modest three bedroom dwelling", the actual ultra modern design proposed is alien to this urban area. The additional house proposed is two storey and measures in total 2594 sq ft of living area.

The proposed additional house is separated from numbers 15 and 17 Greenhills Road and by 7 & 8 The Avenue by a ransom strip owned by Green Avenue Limited. The design will be highly visible and seriously affect the privacy of considerably more properties in this neighbourhood. We object to the proposed scheme for the reasons set out below.

GARDEN LAND DEVELOPMENT

The Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document, June 2009, gives clear guidance as to what sort of development on garden land and infill sites is and is not acceptable, that is inline with the requirements of the National Planning Policy Framework paragraph 53 that states:

Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Hence we consider this Supplementary Planning Document (SPD) to be key guidance in considering this application. Page 36 of the SPD states:

On a rear garden site, single 'tandem' development which shares the same access or even the same plot as the frontage development, will not normally be accepted.

The proposed 'tandem' development is contrary to the SPD and whilst we acknowledge this type of development has been permitted at No. 17 (but not yet started) this does not necessarily create a precedent for other similar developments being permitted in the road/ area. Tandem development is not encouraged within the SPD for very good planning reasons and if more of this type of development is granted consent then the planning harm identified in the SPD will be multiplied. The neighbours all objected to the proposed development at No. 17 with one exception, No. 16 whose motivation is now clear. At the end of the day what

would the street / community be like if every property in the road undertook tandem development? It would totally change the character of the existing neighbourhood and the quality of life and amenities enjoyed by the residents.

The SPD (page 39) describes why a rear garden development should be on a reduced scale compared with the frontage houses. So not only is this tandem development inappropriate, but the scale at nearly 2600 sq ft of living space is comparable to the original houses on Greenhills Road.

DESIGN

On 27 March 2012 the government published the **National Planning Policy Framework (NPPF)** which confirms at paragraph 58 "that the Government attaches great importance to the design of the built environment". The National Policy requires development to "take the opportunities available for improving the character and quality of an area" and states that permission should be refused for development that does not.

The Cheltenham Borough Local Plan Second Review, although adopted in July 2006 contains saved policies that are in conformity with the NPPF and which therefore are material in the consideration of this proposal.

In particular, Policy CP7 sets out that development will only be permitted where it:

- (a) is of a high standard of architectural design; and
- (b) adequately reflects principles of urban design; and
- (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3).

The "**Principles of Architectural Design**" set out in the Local Plan stress that the alteration of existing buildings should demonstrate a creative response to a specific site and locality and that particular attention should be paid to

- the urban grain (the pattern and density of routes, street blocks, plots, spaces and buildings of the locality) and
- the size of the building its elements and its details in relation to its surroundings
- massing (the arrangement, volume and shape of the building)
- height (the effect on shading views skylines and street proportion)

The **Supplementary Planning Document "Residential Alterations and Extensions February 2008"** notes that "Cheltenham has an image of an elegant spacious town with groups of well proportioned buildings set in generous gardens" and acknowledges that the spaces between the houses, and the greenery contribute to this character.

The purpose of the Guide is to ensure that the character of each of the residential areas is not eroded through un-neighbourly poorly designed residential properties. It is intended especially for use in residential areas that are not protected by conservation area status, where good design is as essential as it is in the historic parts of the town.

The Design Guide notes that the spaciousness of the town derives from spaces at the front back and sides of buildings. "Glimpses of trees, gardens and the surrounding hills are essential if the spacious character of the town is to be maintained. The Council will maintain such spaces between buildings to prevent a terracing effect between existing houses."

The emerging **Draft Gloucester Cheltenham & Tewkesbury Joint Core Strategy** policy S4 requires proposals for all new development to demonstrate how the development will "respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form and ensuring that new development is of a scale, type, density and materials appropriate to the site and its setting"

The Character of the Area

Although Greenhills Road does not fall within a conservation area, it is nevertheless a pleasant but busy road with an open aspect which is characterised by large houses set within large plots. No 16 is around 0.17 hectares -the house has been extended to the rear and in other areas. It is a feature of the road that each of the individually designed dwellings is set in ample green space. There are restrictive covenants on every

property including No 16 Greenhills Road (GR1165) which flow down from title GR957 which permit not more than one dwellinghouse per plot of land. The restrictive covenant specifically prohibits "outbuildings behind or so as to extend beyond the back of the dwellinghouse to which it belongs" for a very good reason-any such erection would impact on the urban grain.

The proposed extra house will result in a massive loss of garden for the footprint of the proposed house, garage and the driveway needed to link it to Greenhills Road, which would be totally out of character with the street scene The proposed extra house is for this reason at odds with the urban grain.

Scale and Massing

The development proposed would result in a doubling of the footprint of buildings on the current No 16 plot, as well as a 4 metre wide roadway to the Eastern side of the plot. As such the scale of the proposed extra house is inappropriate.

The massing of the proposed property being a 2-storey building built close to the northern boundary is inappropriate. It will result in an over bearing development with no sunshine falling on the garden at the Northern end.

It is contrary to Local Plan Policy CP4 (a) relating to safe and sustainable living which seeks to prevent development that would cause unacceptable harm to the amenity of adjoining land owners.

Privacy and Security

All the properties on Greenhills Road and The Avenue have always enjoyed privacy in their rear gardens. Permitting a further house to be built at No 16 would be a massive loss of privacy to all the houses in the immediate vicinity and will reduce the existing security of both 15 & 16 and all the neighbouring properties due to the driveway providing easy access to their rear gardens (again contrary to CP4 (a)).

Overdevelopment

The proposed dwelling results in an overdevelopment of the GR1165 plot of land. In February 2005 a 2-storey extension was permitted and now the owner wishes to demolish the garage that was built then for the sole purpose of building on his garden.

Materials, Size and Design

The application is totally inappropriate. The proposed design is far too large and is contrary to Local Plan Policy CP7 relating to design. The steel roof would be an eyesore and is completely out of keeping with the neighbourhood and extremely noisy during rain storms. The dwelling's external design is certainly not complimentary to the age and style of properties in this area. The proximity of the building to the fence ensures that the north facing "garden" for the new property will be in permanent darkness – almost certainly it will be paved/concreted to leave no remaining greenery and increase the risk of flooding that conflicts with CP3 (f) that seeks to minimise the risk of flooding as part of a sustainable environment.

Effect on Area/Traffic

Greenhills Road is an established rat run for traffic on that side of Cheltenham. In rush hour, the traffic is static in both directions from Sandy Lane to Pilley Bridge making it extremely difficult to turn right or left from the properties on the North side of Greenhills Road. When traffic is flowing it is like a drag strip for many drivers who seem to wish to do 40-50 mph by the time they pass 14/15/16 Greenhills Road. Cyclists regularly use the pavements in lieu of the road, presenting another unpredictable danger. Boundary walls or hedges are only a pavement width (1.45m) from the road. A substantial house added at the back of No 16 brings further certainty of a serious traffic accident. There was another car accident outside 14 Greenhills Road at the end of May. 3.18 of the SPD, Box 6 sets out Elements of Amenity which are considered important but not addressed in this proposal.

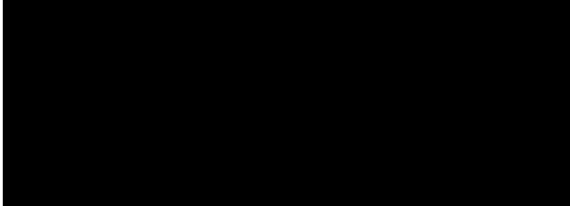
Conclusion

The National Planning Policy Framework (NPPF) requires that good design should "contribute positively to making places better for people." This proposal is out of character with the area. It does not represent a good design and it has a seriously detrimental impact upon residential amenity. This development would cause

harm to the local area and therefore conflicts with para 53 of the NPPF on garden land development and should not be allowed. Furthermore it is contrary to Cheltenham's SPD on garden development to build this large house in tandem style on a single plot. There are no material considerations that would justify a departure from development plan policy in this case.

We therefore urge the Council to refuse this inappropriate application to build an extra property on the land comprising GR1165.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Cheltenham 

Brown Gables
8 The Avenue Cheltenham Glos. GL53 9BJ

29 April 2014

Tracey Crews
Head of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Glos.
GL50 1PP

Ref: 14/00660/FUL

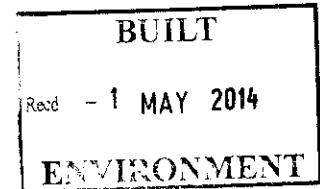
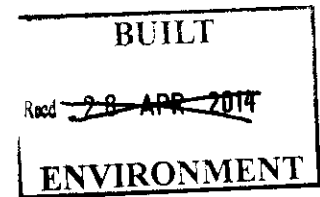
Dear Ms Crews

Proposal: Erection of a single dwelling to the rear of 16 Greenhills Rd and associated access drive, following demolition of existing attached garage and re-instatement of integral garage within existing dwelling at 16 Greenhills Rd Charlton Kings Cheltenham

I would like to object in the strongest possible terms to this proposed development.

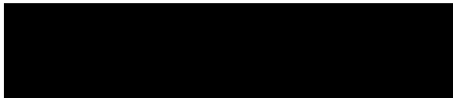
I appreciate it is inevitable that planning permission will be given for a dwelling on this site but the proposed building is totally out of keeping with the other properties in the area including the recent approval of the plans for next door's back garden and the dormer bungalows built a few years ago let alone the long existing properties. I also object to the **size, height, closeness to our fence, shape of roof line, proposed materials and the ultra modern design generally.**

Yours sincerely



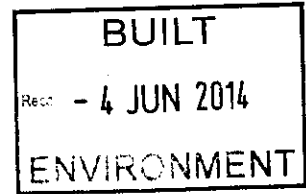
c.c. Member of Parliament – Martin Horwood, MP – 16 Hewlett Road, Cheltenham, GL52 6AA
Councillor Duncan Smith, Conservative, 160 Leckhampton Road, Cheltenham GL53 0DH
Councillor Penelope Hall, Conservative, 30 Fairfield Avenue, Cheltenham GL53 7PN
Councillor Rob Reid, Liberal Democrat, 71 Ravensdale Rd. Charlton Kings, GL53 8NS
Councillor Helena McCloskey, Liberal Democrat, 9 Birch Close, Charlton Kings GL53 8PJ

Brown Gables
8 The Avenue Cheltenham Glos. GL53 9BJ



30 May 2014

Tracey Crews
Head of Planning
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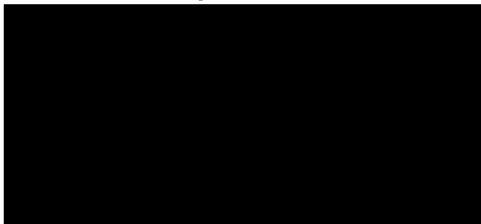
Ref: 14/00660/FUL

Dear Ms Crews

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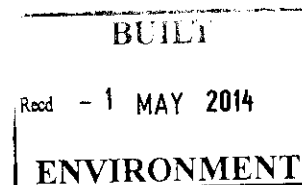
Thank you for your letter of 29 May. The revised plans are fundamentally little changed from the original apart from the roof. In particular the building remains far too big for this site and totally out of keeping with the surrounding properties.

Yours sincerely



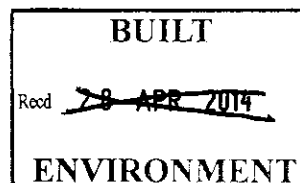
c.c. Councillor Duncan Smith, Conservative, 160 Leckhampton Road, Cheltenham GL53 0DH
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Councillor Rob Reid, Liberal Democrat, 71 Ravensdale Rd. Charlton Kings, GL53 8NS
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**7 The Avenue
Charlton Kings
Cheltenham
GL53 9BJ**



Tracey Crews
Head of Planning
Cheltenham Borough council
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30 April 2014



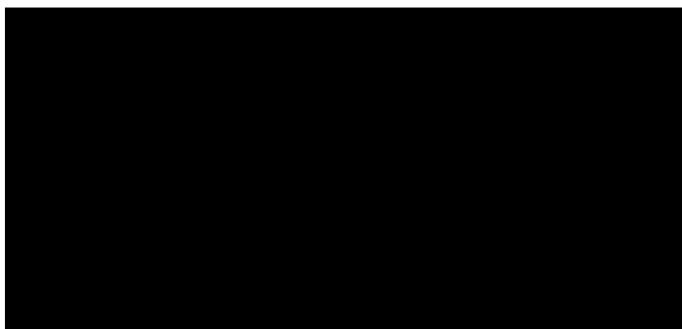
Dear Madam

Planning Application 14/00660/FUL – 16 Greenhills Road

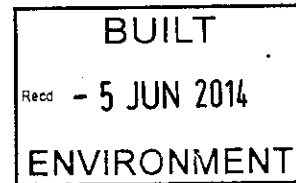
We wish to object to the planning application on the following grounds

1. The proposed building is far too big and would be an overdevelopment of the site. We are also concerned that the footprint of the proposed building impinges on the necessary root protection area for the tall Lombardy Poplar tree at the corner of the site
2. The proposed building is intrusive to the privacy of neighbouring properties and if a building were to be approved then it should be single storey
3. The proposed steel roof is out of keeping with surrounding properties and would be a glittering eyesore
4. In the event that planning were granted it needs to be conditional on the Lombardy Poplar being reduced in height as recommended in the applicant's tree survey.

Yours faithfully



**7 The Avenue
Charlton Kings
Cheltenham
GL53 9BJ**



Tracey Crews
Head of Planning
Cheltenham Borough council
PO Box 12
Promenade
Cheltenham
GL50 1PP

3 June 2014

Dear Madam

Planning Application 14/00660/FUL – 16 Greenhills Road

We wish to object to the planning application on the following grounds

1. The proposed building is far too big and would be an overdevelopment of the site. We are also concerned that the footprint of the proposed building impinges on the necessary root protection area for the tall Lombardy Poplar tree at the corner of the site
2. The proposed building is intrusive to the privacy of neighbouring properties and if a building were to be approved then it should be single storey
3. The proposed steel roof is out of keeping with surrounding properties and would be a glittering eyesore
4. In the event that planning were granted it needs to be conditional on the Lombardy Poplar being reduced in height as recommended in the applicant's tree survey.

We would also like to associate ourselves with all of the comments made in the letter of 8 May on behalf of 

Yours faithfully

