

APPLICATION NO: 14/01398/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 5th August 2014		DATE OF EXPIRY : 30th September 2014	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	The Trustees of the Estate of Mrs K Pillai		
LOCATION:	282 London Road, Charlton Kings, Cheltenham		
PROPOSAL:	Demolition of existing dwelling and erection of 2 no. new dwellings		

REPRESENTATIONS

Number of contributors	2
Number of objections	1
Number of representations	0
Number of supporting	1

284 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YF

Comments: 7th August 2014

I am happy to support the current application.

286 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YF

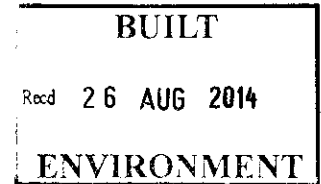
Comments: 27th August 2014

Letter attached.

286 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YF

26 August 2014

Mike Redman
Director
Build Environment
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1JP

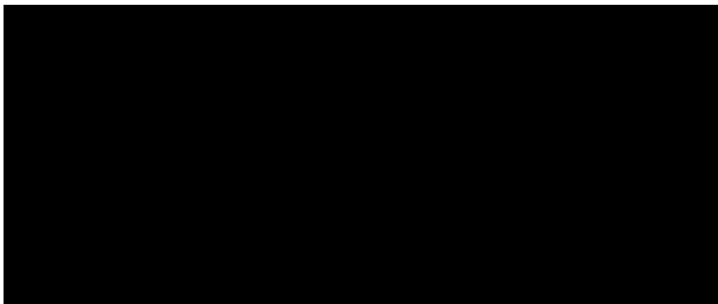


Dear Mr Redman

Planning Application 14/01398/FUL

Please find attached my comments concerning the above Planning Application.

Yours sincerely



PLANNING APPLICATION - REFERENCE 14/01398/FUL

MY COMMENTS.....

C1 RESTRICTIVE COVENANT

The conveyance between O E Cannell and E T H Stinchcombe of land now containing 282,284 and 286 London Road and 2,4,6,8 and 10 Ryeworth Road, made on 2nd April 1953 refers to the following:
"NOT more than eight messuages..... should be constructed on the property thereby conveyed."
"NOTHING should be done or permitted to be done or carried on upon the said property or any part thereof which should or might in any way be or become a nuisance or annoyance to the Vendor or his successors in title or the owners or occupiers of adjoining properties."

C2 Access to the site is **NOT** by a communal access road as stated in the Design, Access and Sustainability Statement, but by its own driveway and across **individually owned parcels of land** of 284 and 286 London Road respectively, which was subject to a deed of grant dated 19th July 1969 and which refers to the restrictive covenant referred to in C1.

IN MY OPINION....

Replacing the existing dwelling with two dwellings would be in breach of the restrictive covenant referred to in C1 and so jeopardize the deed of grant referred to in C2 and therefore the right of way of vehicles over the land of 284 and 286. Therefore the assumption that the two dwellings may use the existing access to London road, over the land of 284 and 286 is a fallacy.

Replacing the existing dwelling with two dwellings would increase the danger caused by vehicular traffic over the land shared with the occupiers of 284 and 286 and on to London Road. In particular, this land is continually used by young children walking, running and cycling on it, as it is on a level with and continuous with the pavement.

However, the danger to pedestrians could be mitigated by either gating each access or only allowing the access of 282 London Road to the main road by its own driveway and allowing 284 and 286 to share the other access, with a suitable fence or wall along the boundary of 282 and 284.

THIS APPLICATION SHOULD BE REFUSED ON THE GROUNDS OF DANGER TO PEDESTRIANS AND ROAD USERS OF INCREASED VEHICULAR TRAFFIC AND THE IMPACT ON NEIGHBOURS OF EXTRA VEHICLES, UNLESS THERE IS ADEQUATE ROOM TO MANOEUVRE VEHICLES ON THE SITE.


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26 August 2014