

APPLICATION NO: 14/01901/COU		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 17th October 2014		DATE OF EXPIRY : 12th December 2014	
WARD: Warden Hill		PARISH: LECKH	
APPLICANT:	Mrs Justine Chapman		
LOCATION:	1 St Michaels Road, Cheltenham		
PROPOSAL:	Proposed change of use from residential dwelling (C3) to pre-school and nursery (D1)		

ADDITIONAL REPRESENTATIONS

3 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 8th December 2014

Our original grounds for OBJECTION to the above planning proposal still stand (submitted 17th November 2014).

Despite all previous objections being substantiated and evidenced, we find it hard to have to further back up our objections to a proposal that is not only deemed as an unsuitable location but also potentially unsafe. It has been stated in objectors' comments that we all have a section within our deeds showing that the dwelling should not be changed from residential use. Surely that in itself shows what the vision for the area was and should be upheld.

In response to the applicant's latest revised plans and submission letter we would like to make the following comments:

Prior to the plans being submitted we were invited to go and view the proposal. During the meeting several promises were made regarding conditions to submitting the plans, none of these conditions were referred to in any of the documents submitted to the Council. These included term time only childcare provision with no wish to extend to full nursery style opening hours. The supporting information document attached to the latest applicant's submission clearly states that increasingly playgroups and pre-schools now offer extended childcare and holiday cover. This clearly shows what the potential opening hours could be with no conditions preventing this in the future. We were also told that there would be a condition regarding resale and that the property would not be sold on as a business and that should the applicant wish to sell the property this would need to be returned to a residential dwelling prior to sale. This is not noted anywhere in the original or revised plans. The applicant has quoted that our only concern was that of the effect on the value of our property, we won't deny this has been a worry as after 2 independent valuations we have been told this would have a negative impact. However, we discussed several concerns and issues throughout the process with the applicant as they are aware.

Privacy: By replacing the fence to number 3 Woodlands road and extending it to the length of the garden would increase their privacy but as a result also increase the danger of pulling out on to a busy junction with no clear view of the road and approaching traffic. Building work has already begun at the property by demolishing the garage which has left our property completely exposed.

Regarding the playgroup that is currently run at St Christopher's and that the residents who are directly next to the Church not complaining is a completely different situation. A church and its halls are for the community, built for use for many reasons for the community, not a residential

bungalow. The neighbours surrounding St Christopher's chose to move there and were fully aware of the church and its ongoing facilities for the community when making that decision.

It also states that the nation is encouraging a healthier lifestyle and the facilities need to be provided for those walking to the Pre-school. Having put 2 children through childcare, this is usually on route to work; therefore the majority would still drive. Of those that will walk, it states that the Pre-School is not just for the children of Warden Hill but also those hoping to go to St James' or Leckhampton Primary School; of these surely the number walking to the facility would be very low. This also indicates that the catchment area is greater than the immediate vicinity of Warden Hill that was previously quoted.

The concern regarding the commercial waste has merely been moved from adjoining 3 Woodlands Road to the front of the building in full view of our property; again the issue has not been addressed but relocated.

On review of the revised plans as far as we can see the safety element and loss of amenity that local residents are concerned about have not been addressed.

In summary, the applicant has stated that the objections and comments submitted from those living close by to proposed business has been misleading and inaccurate. This is to the contrary; the objections and comments have been submitted by people whose daily lives and properties will be affected and not the words of agents or advisors. It has been insinuated that residents have been purposely misled, this is not the case. People care about where they live and have shown this by providing their comments and stating facts.

For all the reasons previously provided in our original objection letter and our additional comments above, this remains an inappropriate location for this business.

We continue to OBJECT to this proposal.

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Having reviewed the revised proposal and the applicant's response along with the supporting comments, we still feel strongly apposed to the application. In our opinion the Environmental Health's comments echo all of the LOCAL residents concerns.

In the applicant's latest supporting letter, she has made reference to the pre-school at No 1A Everest Road, and states that she feels the environmental health officer has been contradictory in his comments. When you actually look at the plans for 1A Everest Road, it is a very different site in many aspects. The boundaries to neighbouring properties are greater in distance, much larger frontage to allow pickup and drop-offs away from the public highway, a much quieter traffic area, already next to commercial premises, less children and shorter opening times. All the other comments in the applicant's latest letter were to paint a sympathetic picture, but are irrelevant to planning. The proposed site at 1 St. Michaels Road is a much more compact site, in a busier traffic area, much closer to neighbouring properties and would have a far greater impact to local residents than the site at Everest Road !

We feel that the supporters that are not local are merely making character references for the applicant and are not reading on how strongly the neighbours and residents will be affected to this change of use to a playgroup. Would they buy a property right by a playgroup or would they be happy if this were to happen next door to them, I seriously doubt it!! It's very easy to criticize the objectors, when it will have no impact on them. When we were looking to move to the area we

looked at properties that had good local amenities i.e. schools and public transport within a quiet residential area suitable for a family. But we did not want to live next door or on the doorstep to a school. So therefore, we find this application for change of use to a playgroup very upsetting as we have invested a lot of money into developing our property into a lovely family home and the change of use will have a huge impact to not only the value of our home, but also to a quiet residential area

If the residents are stating in their objections/distributed letter false or misleading information, then why is it the Environmental Health are backing up the residents concerns in regards to loss of amenity, traffic, noise, privacy and recommend that this application be refused!

It has been stated 'This is not an application of convenience, this is an application to provide a service to OUR community'. Surely us LOCAL residents are part of that community. The applicants know they do not have the LOCAL residents' support but continue to pursue this application regardless and wrongly inform the public that a campaign to object has been made towards this application. The residents have merely acted as a community and have supported each other in their objections to something they don't agree with. We think it's a great shame that the applicant hasn't taken this into account and looked at a more suitable site that will not affect local residents and therefore will be a welcomed playgroup by all.

A number of supporters of the application, along with the applicant have mentioned their disapproval of the leaflet that was distributed. In our opinion this was a good thing, as only the neighbours who live 2 doors either side of the site received letters from the council notifying them of this application. For most of the residents, this was the first they would have heard about this proposal, and without the leaflet would not have known anything about it, until it was too late to do anything about it. To imply that the residents then objected based on this information is not only misleading but insulting to think that we residents cannot make an informed choice ourselves, without looking into the application details first and not on first hand information put through the door! The residents are within their rights to object. IT IS OUR LEGAL RIGHT TO OBJECT IF WE WISH TOO. We too have consulted estate agents, and we were told it probably would reduce the value of our home, so as far as we can see, the leaflet was fair and accurate.

We stand by our objection to this proposal, and strongly urge the council to refuse this application.

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I have looked at the revised plans for the building. However this does not address the problem of parking for dropping off and picking up. The bungalow is on an already busy road junction. There are vehicles parked in St Michaels and Woodlands Road. This will only be compounded by more vehicles especially during the morning. I think a pre school facility is a good thing but this particular venture is in the wrong place.

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In relation to the amended proposed planning change of use for 1 St Michaels Road I wish to express my continued formal objection to this application.

The main points of objection have not been addressed by this re-submission and merely created new issue or moved the same issues to different location without addressing the route cause.

Therefore I would confirm the items raised in my previous objection are still to be maintained as part of this objection to the revision plus the following comments:-

1. The requirement for the facility is matched by the current services located and offered in the area, which are regularly advertising spaces available, which negates the alleged demand. This may not be a direct point of planning but the grounds are false.
2. There are and have been more suitable location and infrastructures made available but the proposer has chosen not to consider them, a location in nearby primary school should not be dismissed.
3. There is no reference to the breach of title deeds or why the Applicant can ignore this, when it is binding on all of us in this area.
4. The proposed alleyway and gates creates more security risks and allows unwanted intrusions that can be harder to detect and the higher fence creates a better shield for concealment. By Cheltenham's own planning policy
 - a. Cheltenham Borough Council's Local Plan which contains Policy CP4: 'Development will be permitted only where it would: not, by nature of its size, location, layout or design to give rise to crime or the significant fear of crime. '
 - b. The border to No3 St Michaels road is not addressed and leaves an open aspect where unwanted intrusions can easily be made across the back of the adjoining houses, and creates easy access and egress or crime.
5. The addition of the 1.8m high hedge removes the open aspect to the area and will make the property stand out detrimentally in the current area compared to all of the other similar properties. This further demonstrates this residential location is not suitable for this type of operations.
6. The bins have been moved but this does not address the environmental and tipping risks, it merely moves the problem across No 3 Woodlands and No 3 St Michaels Road, and puts the commercial bins in open view.
7. Nothing has been done to consider the noise from operations and of the significant drop off and pick up, nuisance and noise that would be created at unsociable hours.
8. The parking issues have not been addressed further for on or off site. It is noted that the Applicants have made reference to building works creating more congestion, however this is not the case as several households use the road to park personal vehicles as they are quite entitled to do.

Therefore again based upon planning grounds alone, the main objections are the detrimental effect this proposal would have upon the residential amenity, surrounding area, neighbours, environment, road users/highways safety and pedestrians in relation to noise of operations, disruption and disturbance to neighbours lives, intrusion and loss of privacy, and creation of a security/crime risk.

The quiet, private and safe character of the neighbourhood would be detrimentally affected and be opened to a new intrusion in amongst a wholly residential setting. Therefore the proposal should be refused.