

<b>APPLICATION NO: 15/00676/FUL</b>		<b>OFFICER: Mrs Victoria Harris</b>
<b>DATE REGISTERED:</b> 21st April 2015		<b>DATE OF EXPIRY :</b> 16th June 2015
<b>WARD:</b> Pittville		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Philip Clarke	
<b>LOCATION:</b>	60 Cleevelands Avenue, Cheltenham	
<b>PROPOSAL:</b>	Construction of new detached dwelling	

## REPRESENTATIONS

Number of contributors	<b>7</b>
Number of objections	<b>6</b>
Number of representations	<b>1</b>
Number of supporting	<b>0</b>

61 Paddocks Lane  
Cheltenham  
Gloucestershire  
GL50 4NU

**Comments:** 15th May 2015  
Letter attached.

**Comments:** 18th August 2015  
Letter attached.

39 Albemarle Gate  
Cheltenham  
Gloucestershire  
GL50 4PH

**Comments:** 13th May 2015

Our opinion has not changed from the first application we feel the road layout was not designed to accommodate more housing and will cause more accidents also a pity that a concrete wall will replace the shrubs,

**Comments:** 14th August 2015

We still object on the grounds that the road layout cannot accommodate more traffic and nothing has been done to alleviate this, there is a blind corner on entering that is only single car width and there have been several collisions.

35 Albemarle Gate  
Cheltenham  
Gloucestershire  
GL50 4PH

**Comments:** 20th May 2015

We would like to say that the nine closest residents to this development all feel the same as commented as 39 and 47 Albemarle gate about the parking, also great concerns about the

emergency services, because it would be impossible to get near because there is a very limited amount of space and the bend is very narrow with no foot path, there has been several accidents because of this.

At the moment we are having to cut across the bottom of number 45's garden because his fence is removed to get around the bend. I would also like to mention that there has been five new properties built in Turley Road in the recent years.

This use to be a lovely scenic box hedged road it has also effected the sale of certain properties cause lack of parking. I don't feel its fair for one persons gain to be the misery of so many others.

I strongly recommend that all people concerned should view the site one evening to get a proper view of the situation

41 Albemarle Gate  
Cheltenham  
Gloucestershire  
GL50 4PH

**Comments:** 13th May 2015

We wish to register our continued opposition to the proposed development our concerns are as outlined below;

Loss of privacy due to removal of trees ( also visually trees are an attractive feature of the area and make it a pleasant place to live )

The area has already changed dramatically with the construction of a property which is not in keeping with the other houses in Albemarle Gate / Tilney Road to have an additional building will affect house prices as the approach to the properties is no longer in keeping with the area. Instead of the previous green hedge and trees ( which encouraged wildlife particularly nesting birds ) we are now met with a concrete wall, will the same happen this time therefore making the area devoid of any personality.

Design of the building has a pitch roof different again to the other property, which has a flat roof.

Safety there are a lot of vehicles using the area loss of parking would result in people parking further down the road causing congestion and potentially preventing emergency services accessing the area.

At present there are no footpaths the total length of Tilney Road ( which has seen 5 additional properties built over the last few years) pedestrians particularly children will be vulnerable with the forced parking arrangements and additional traffic.

The cul de sac area is not big enough to allow an additional entrance , and at peak times ie evenings weekends is packed. The proposal will cause problems for residents to access their own properties due to lack of space and reduction in ability to manoeuvre vehicles.

Would the proposal remove the street lighting if so what arrangements would be made for the replacement and where would it be situated?

The present residence are not being given fair consideration or respect, the area is their home which have been worked hard for, it's not unreasonable to expect a pleasant outlook from our homes choices were made when buying our houses and to have two additional properties in the confined area was not expected.

56 Cleevelands Avenue  
Pittville  
Cheltenham  
GL50 4PS

**Comments:** 14th May 2015

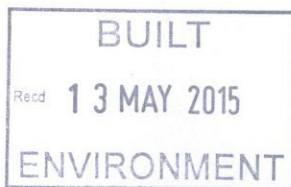
I have no general objection to this application. But object strongly if the pitched roof proposed for this new build at No 60 Cleevelands Ave. were to set a precedent for an application for a new pitched roof on the recently built adjacent property at the rear of no 58 Cleevelands Ave. [06/01422/FUL] This application was originally for a pitched roof and was amended to a flat roof after objections from local residents.

47 Albemarle Gate  
Cheltenham  
Gloucestershire  
GL50 4PH

**Comments:** 14th May 2015

I have the same concerns to this development as I did to the previous one. Nothing has changed except the proposal of a flat roof as opposed to a pitched one.

I echo the comments made by the owners of number 41 Albemarle Gate.



Cheltenham Borough Council  
P.O.Box 12  
Municiple Offices  
Promenade  
Cheltenham  
Glos  
GL50 1PP



61 Paddocks Lane  
Cheltenham  
Glos  
GL50 4NU

13 May 2015

**Objection to 15/00676/FUL**

Construction of a new dwelling at 60 Cleavelands Avenue Cheltenham Gloucestershire

Dear Sir/Madam/CBC Case Officer

We are the owners of 61Paddocks Lane and we will be greatly affected by the proposed development as it is to be located at the bottom of our garden. We are writing to ask that CBC refuse this planning application from Mr Philip Clarke.

Herein are our comments and objections relating to the planning application:

We have lived here since 1985 and over recent years the peace and tranquillity of the house that we bought then has been completely spoiled by the successive 'garden grabbing' developments around us.

Four luxury houses were built in the garden of our adjoining neighbour living at 'Hadley', Tilney Road and a futuristic single story development in the garden of 58 Cleavelands Avenue which is of course next door to number 60, the proposed site for the new dwelling. Below are a few self explanatory before and after photos to illustrate garden developments in gardens adjoining our own.



Houses built adjacent to us.



New build in the garden next to No 60 viewed from Master Bedroom.



These new properties have certainly impacted on our privacy and noise levels have increased as a result. Whilst we preferred the situation before these developments and we suffered tremendous noise and disruption for about a year whilst the last 2 houses adjacent to us were being built, we acknowledge that the resultant properties are proportionate to the plots and in keeping with the area. Fit for purpose so to speak.

In comparison this new development seems to be inappropriate and uninspiring both in design and layout.. The site itself is quite tiny and the property will completely dominate the plot and add to the over development of the area. Shoe horning yet another property into a totally inappropriate place will result in the most awful eyesore right at the end of our own garden yet almost invisible from the applicants own property.

I echo the concerns of the Architects Panel regarding the property being built within the root protection area of two of our European Ash trees which we take great pride in. Certainly tree ET03 is encroached upon to quite an extent by the proposal, ET01 less so. As the formula for the root protection area is a circle 12 times the diameter of the tree trunk 1.5 meters from the ground then presumably as the trees continue to grow then every *inch* that the trunk diameter increases means that the root protection area will increase by a *foot*, so the situation will worsen year on year. From the Tree Survey Data there is a recommendation to remove a smaller ash ET02 which is also in our garden, in time it's root protection area will be encroached upon by the building. We have no plans to remove this tree having watched it grow from a seedling over many years.

The 2 large European Ashes predate any of the buildings in this area. They are magnificent semi mature trees at the end of our garden which we have always maintained at considerable expense to ourselves to ensure their well being and the safety of surrounding outbuildings in our own and our neighbours gardens.

I strongly object to the protected root systems of these trees being tampered with as I feel that is a recipe for disaster in the future. Surely the planned property should be built far enough away from the trees to ensure that they do not need to be tampered with now or in the future to allow for natural growth. I echo the comments from the Architects Panel that the property be pushed to the boundary and out of the root protection areas

Parking in Tilney road, which is chaotic anyway, will become much worse as 3 or 4 parking spaces will be lost. **Attachment A** highlights concerns from the residents of Tilney Road and Albermarle Gate to the previous planning application 14/01889/FUL submitted in October 2014 (reproduced from the CBC planning website). I felt that the residents of the area are better qualified to describe the impact in increased disruption and dangers than myself.

The extremely limited access to the site will be afforded by a drop curb according to the plans, something I wish to expand on as the plans are a very clinical representation of the situation. We have a garden gate at the end of our garden providing access into the cul-de-sac behind and thence to Pittville Park. The gate opens into a passageway between mature laurel bushes and our neighbours garden. I have laid paving slabs to form a path. The laurel bushes offer seclusion and privacy not only to the entrance but they also provide important screening to our lounge, conservatory and bedrooms preventing them from being overlooked by houses backing onto Tilney Road. From the upstairs rooms in our own property these bushes and the tree screen us from the cul-de-sac which is the parking area for various commercial vehicles and private cars.

I took over maintenance of this pathway a pruning of the Laurel bushes in 1985 when we took ownership of the property, removing accumulated rubbish and keeping it safe and tidy. To create access to the proposed new property it is apparent that all of the magnificent shrubbery that has been in place for at least the past 30 years, providing a private paved entranceway to our property, providing screening from neighbours both outwardly and inwardly and a lovely living backdrop for the cul-de-sac and no doubt home to birds and wildlife will be lost forever. This in an era of green ideology where we are told to embrace nature and conservation. If the shrubbery is removed then parking will be possible right up to our entrance hindering entry and exit.

Over the page are some photographs to illustrate the pathway and the laurel bushes and trees.

Rear entrance, and shrubbery providing privacy. These trees and bushes will be removed to provide access to the new property.

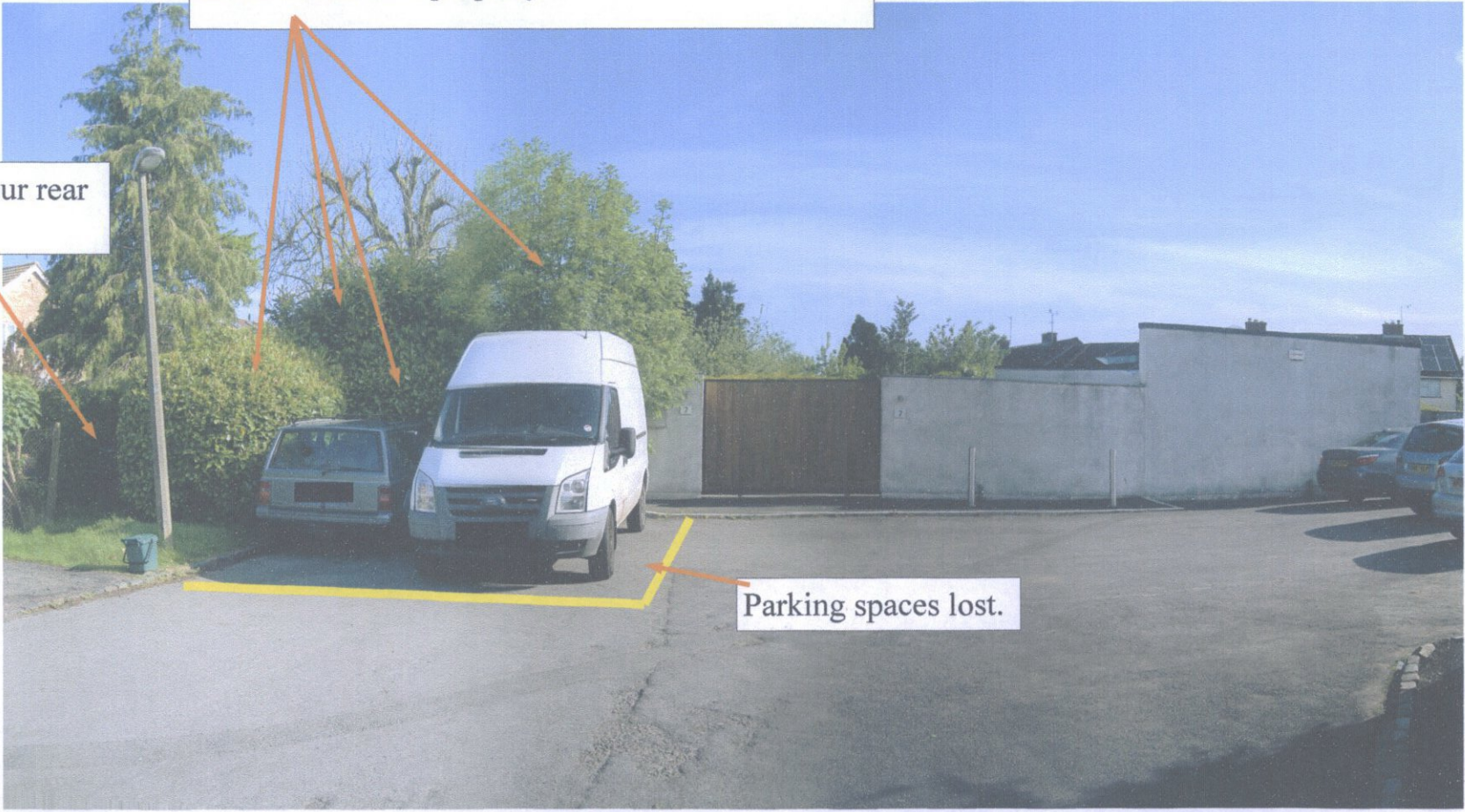


Our private and secluded pathway to Tilney Road.



Mature established bushes and trees providing privacy to our property and an evergreen backdrop to the cul-de-sac which will be removed to provide access to the new property.

Passage to our rear gate.



Parking spaces lost.

Extremely limited access to proposed property entails removal of trees, bushes and grassed verges

Frontage/access to existing development





The site of the proposed development photographed from the bedroom above our conservatory illustrates the very close proximity to our own house.



### Visual Impact

As the proposed property is so very close to our own then this is obviously a major concern for us. From the lounge and 2nd bedroom of the property there will be uninterrupted views into our 2nd floor bedrooms (and from us to them of course). The roof line will be a very unwelcome intrusion above the line of the fence when we look out of lounge or conservatory. We note that the single story building built in the garden next to this proposal has a flat roof to lessen the visual impact to surrounding properties.

### Noise/Disturbance from use

Since we moved into our property in 1985 we have had nothing more than a garden shed and a vegetable patch on the land that the proposed new property will occupy. An occupied property and parking for 2 cars located the end of our garden will generate vastly more noise. Our lounge, conservatory, 2 main bedrooms and our deck are all at the back of the house and at the closest point to the proposed new property, so the rooms we occupy the most will be completely susceptible to the increased noise.

### Traffic

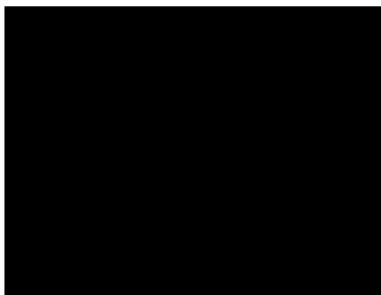
Traffic/Parking at the end of Tilney Road is already at capacity with broken vehicle glass scattered on the roadside testimony to a recent collision. Another property will mean the loss of at least 2 parking spaces and the addition of even more vehicles to an already highly congested area. Negotiating the area in the dark as a pedestrian with a dog and a relative in the advanced stages of alzheimers is tricky enough at the moment, if parking becomes possible right up to our entrance and even more cars are in the area it will become very tricky indeed.

The Architects Panel said in their comments 'the panel did note that the existing neighbouring property was not shown on the site plan'. We hope that our objections have illustrated that, in fact, there are very closely adjoining properties which will be adversely effected by the proposed construction. We invite you to visit our home to verify that these objections are valid.

Therefore, we ask that Cheltenham Borough Council refuse this planning application.

Should you require any additional information, clarification of any comments made, or would like to arrange a visit to our home do not hesitate to contact us on 01242-514663.

Yours Sincerely.



13/5/15.

Attachment 1

Previous objections to the construction of new detached dwelling at 60 Cleavelands Avenue Cheltenham Gloucestershire (14/01889/FUL) .

These are freely available over the Internet from :-

<http://publicaccess.cheltenham.gov.uk/idoxpa17/simpleSearchResults.do;jsessionid=A1AE4B4A8AB82439F424F845F5AA087C?action=firstPage>

## **41 Albemarle Gate Cheltenham Gloucestershire GL50 4PH (Objects)**

**Comment submitted date: Tue 11 Nov 2014**

It is regretful that the council considered it necessary only to send three properties information on the proposed planning application, even though this will have a direct impact on the residents backing on to Tilney Road.

It is disappointing that the elected council felt it was not necessary to approach the other residents of Tilney Road, and so it would appear that our opinions would be of no consequence despite the effect this property would have.

The parking is already extremely limited so having possible safety issues. The additional car/s that the new residence would bring will add to the congestion in what is only a small turning area (not reflected fairly in the planning photographs as these were clearly taken on a working day when people are out).

The loss of trees reflects on the ambience of the area which has now become similar to a concrete area. What has happened to Cheltenham's history as a wonderful green town? Has our elected council forgotten the beauty of our wonderful town in the acceptance of the greed in selling off yet another garden space?

The previous garden sold off that backs onto Tilney Road now has a bungalow which is already in need of painting and not in keeping with the brick built houses of Albemarle Gate. Will the same lack of respect for our living area be shown again? Dennis Parsons has contacted us, but none of our elected councillors have offered us the courtesy of a letter offering any guidance, guess who will get our vote next election?

We are very disappointed with the whole situation, and sad that the proposal will probably go on regardless. A sad day for Cheltenham.

**Comment submitted date: Mon 10 Nov 2014**

Correction to previous email....

It is regretful that only 3 properties were included in the mailings for the planning proposal, the remaining properties were omitted from the mailing even though the proposal will have a direct impact as they back onto Tilney Road, it would have been courteous to have been provided with the information.

## **47 Albemarle Gate Cheltenham Gloucestershire GL50 4PH (Objects)**

**Comment submitted date: Wed 05 Nov 2014**

I strongly object to this application due to the proposed vehicular access from Tilney Road. When planning was granted for no 58, parking was acknowledged to have been a big issue then, so surely the possibility of losing a further 5 parking spaces will cause huge difficulties for residents/homeowners of Albemarle Gate. There is already severe congestion in Tilney Road and the photo is misleading as it was obviously taken whilst people were out at work and does not reflect the true parking difficulties that already exist.

## **56 Cleevelands Avenue Cheltenham Gloucestershire GL50 4PS (Objects)**

**Comment submitted date: Thu 13 Nov 2014**

Letter available to view in documents tab

## **35 Albemarle Gate Cheltenham Gloucestershire GL50 4PH (Objects)**

**Comment submitted date: Mon 10 Nov 2014**

We would like to say that the nine closest residents to this development all feel the same as commented as 39 and 47 Albemarle gate about the parking, also great concerns about the emergency services, because it would be impossible to get near because there is a very limited amount of space and the bend is very narrow with no foot path, there has been several accidents because of this.

At the moment we are having to cut across the bottom of number 45's garden because his fence is removed to get around the bend. I would also like to mention that there has been five new properties built in Turley Road in the recent years.

This use to be a lovely scenic box hedged road it has also effected the sale of certain properties cause lack of parking. I don't feel its fair for one persons gain to be the misery of so many others.

I strongly recommend that all people concerned should view the site one evening to get a proper view of the situation.

## **61 Paddocks Lane Cheltenham Gloucestershire GL50 4NU (Objects)**

**Comment submitted date: Mon 10 Nov 2014**

Letter available to view in documents tab

## **39 Albemarle Gate Cheltenham Gloucestershire GL50 4PH (Objects)**

**Comment submitted date: Sat 01 Nov 2014**

We object to the plans due to losing a possible 5 parking spaces if this is granted permission, when no 58 was given planning consent parking was lost to lose more would put more pressure on Albemarle gate it was noted on the planning consent for 58 that parking was an issue, we also have to say that the picture taken of Tilney road was taken on a Wednesday morning when most of us are at work so is not a true picture of how congested it gets, when these houses were built in 1960 most only had 1 car which is not the case now and should be taken into consideration which I don't think happens.

Reference: 14/01889/FUL

Dear Mrs Harris,

The planning application shows that the proposed bungalow will have a pitched roof. I would refer you to the planning application reference 06/01422/FUL which was made on the adjacent property, 58 Cleavelands Avenue. The original application was for a 2 story house with a pitched roof. This application was amended to allow a bungalow with a flat roof. My objection to the current application would be that it would set a precedent and allow the flat roof currently in place on the property built in the garden of 58 Cleavelands Avenue to be changed to a pitched roof. Flat roofs are notorious for leaking, and this bungalow has water staining on the walls after only 7 years.

The house at no 58 is rented out by its owner who occupies the the new bungalow in what was the garden of no 58 so if an application was made to change the roof no objection would be forthcoming from the residents of no 58. Changing this roof to one with a pitch would seriously reduce the light, amenity and sale ability of our house at no 56.

I feel that you should also be aware that access to the proposed new build is narrow and leads to and from a congested col-de-sac with significant off road parking. The construction of the existing bungalow at the rear of no58 caused numerous parking disputes among neighbours and is a continuing source of tension. The waste collection wagons need to back into the area as there is no turning space. At present access by emergency vehicles is restricted. There is no footpath. Will this new proposal cause the need to change the road layout to improve safety?

Thank you for reading these comments and concerns and giving them due consideration.

Yours Faithfully

[REDACTED]  
56 Cleavelands Ave  
Pittville  
Cheltenham  
GL50 4PS  
11/11/2014.

Cheltenham Borough Council  
P.O.Box 12  
Municiple Offices  
Promenade  
Cheltenham  
Glos  
GL50 1PP



61 Paddocks Lane  
Cheltenham  
Glos  
GL50 4NU

17 August 2015

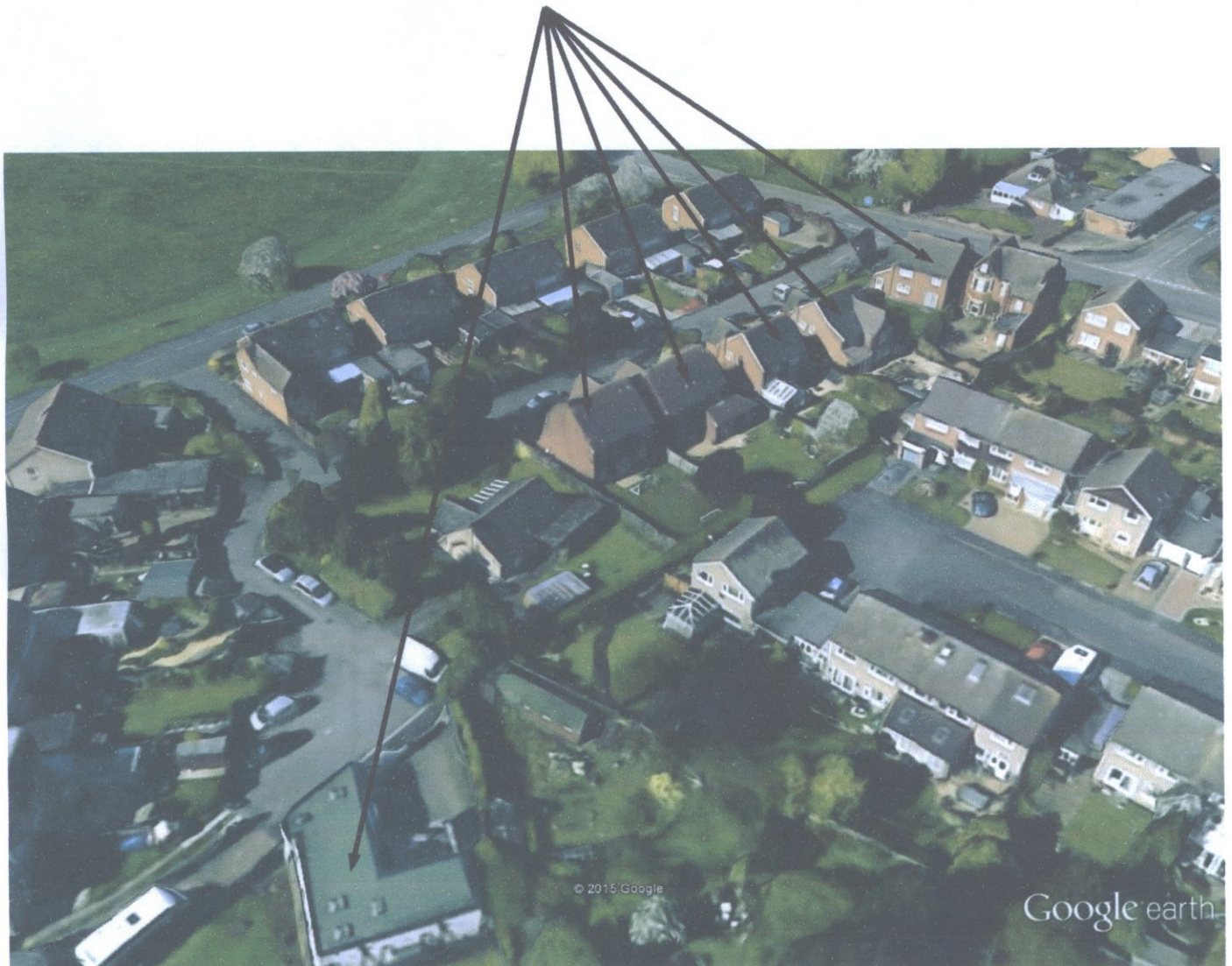
**Objection to 15/00676/FUL**

Construction of a new dwelling at 60 Cleevelands Avenue Cheltenham Gloucestershire

Dear Sir/Madam/CBC Case Officer

Thank you for your letter of the 28th July 2015 informing me of a third revision to a planning application for construction of a new dwelling at 60 Cleevelands Avenue Cheltenham detailing a completely new design to the building. Although I have commented on the previous 2 revisions I would like to take the opportunity to object once again in a format which quickly illustrates the points I am making.

1. **Over development of the area** by garden grabbing. 6 properties already built in back gardens since we have lived here have hugely increased the density of housing in the immediate area around our own property resulting in extra noise and disturbance, increased traffic, overlooking and loss of privacy . The open aspect of the neighbourhood is greatly effected by these garden developments and garden land has been lost as a result.



2 **The proposed development is out of scale with existing developments in the area.** The site is very small and the proposed property, although of quite modest proportions, dominates the available area and precludes having a garage or any meaningful garden area . **The property is completely out of character** in terms of its appearance – the building resembles a holiday chalet - compared to existing developments in the area which are substantial brick built family houses with garages and gardens.





**3 The site does not naturally lend itself to development.** The site is dominated by the 2 european ash trees in my own garden and the proposed construction will be within the root protection area of both of the trees pictured below. This puts the welfare of the 2 trees at risk and may well result in problems in the future.

Access from Tilney road is quite limited and will be afforded by removal of trees and laurel bushes which have provided us with privacy from houses in Tilney road since the 1980's. Parking spaces will be lost in an already congested area.



I hope that these images from Google Earth illustrated to the panel the vast amount of over development of the area already by so called 'garden grabbing' – 6 new properties visible to the front, side and rear of our property.

As you will appreciate yet another development in this area is most unwelcome as it involves the loss of more garden land and further loss of the open aspect of the area appreciated by so many of the residents.

The constraints of the site mean that the resultant property is small and out of character with surrounding properties which are large brick built family homes with garages and gardens. The proposed property is rendered with a zinc roof and lacks a garage or any meaningful garden area.

Excavation works will encroach into the root protection area of 2 established Mountain Ashes in my garden putting them at risk. To afford access to the site a number of tress and laurel bushes which provide a green backdrop to Tilney Road and provide privacy for myself and my family will be destroyed. Parking in an already congested area will be put under additional strain and extra noise and disturbance will be brought to a formerly peaceful area of Cheltenham.

We invite you to visit our home to verify that these objections are valid.

Therefore, we ask that Cheltenham Borough Council refuse this planning application.

Should you require any additional information, clarification of any comments made, or would like to arrange a visit to our home do not hesitate to contact us on 

Yours Sincerely,

