

<b>APPLICATION NO: 18/01555/FUL</b>		<b>OFFICER: Miss Claire Donnelly</b>
<b>DATE REGISTERED:</b> 1st August 2018		<b>DATE OF EXPIRY :</b> 26th September 2018
<b>WARD:</b> All Saints		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Matthew Larner	
<b>LOCATION:</b>	76 Hales Road, Cheltenham, Gloucestershire	
<b>PROPOSAL:</b>	Rear and side lower ground and ground floor extension	

## REPRESENTATIONS

Number of contributors	<b>3</b>
Number of objections	<b>3</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

21 Cranham Road  
Cheltenham  
Gloucestershire  
GL52 6BQ

**Comments:** 15th August 2018

We object to these plans on the grounds of lack of privacy and visual impact.

Since changes were made by previous owners we are already aware of less privacy from the rear of the house. Extending the building 3m closer to the rear of the garden along with vastly increased glazed double doors plus apparent terraced area will impact on our privacy in both our living room and, more than likely, bedroom both of which have their original bay windows.

We feel that the extension is also rather large and imposing to see from various aspects of our house and garden.

**Comments:** 28th September 2018

Slightly less bad than the previous application but not a great improvement. All our previous comments still apply. The visual impact is still imposing and not in keeping with the areas around.

29 Kings Road  
Cheltenham  
Gloucestershire  
GL52 6BH

**Comments:** 16th August 2018

We are responding as the owners of no. 29 Kings Road (formerly 78 Hales Road), which is semi-attached to no. 76 Hales Road. The houses sit on the corner of Hales Road/Kings Road and are clearly visible to the public from both perspectives.

Our response is aligned with the principle outlined in the Sydenham Character Appraisal and Management plan: to ensure that future development is appropriate to the character of the area.

We are objecting to the plans in their current form as, from the perspective of 29 Kings Road, the proposed design is:

- o overbearing and out-of-scale in terms of size
- o insensitive and unsympathetic in the context of a conservation area
- o highly intrusive and negatively impactful to us as immediate neighbours.

We have laid out our main objections below:

1. The failure to provide adequate additional plans from the perspective of the public's view (i.e. Kings Road) and the semi-attached neighbouring property (29 Kings Road): this drawing was omitted initially and then submitted at our request, as we believe that this perspective should form a critical part of the decision-making process. However, the drawing submitted does not provide an accurate representation of the proposed build as it lacks detail and there is no scale included, as there is with the other drawings. This is a critical perspective needed to fully appreciate the inappropriateness of the proposed design. Given the view from Kings Road, this isn't a typical 'rear' extension in that it is in full view of the public. It is, in effect, the equivalent of a side extension when viewed from the Kings Road perspective.
2. The proximity of the proposed development: the proposed extension is only 0.25m from the boundary between the two semi-detached houses, which is too close. There is a ground floor window at 29 Kings Road (just next to the boundary), which if the plans proceed will have a 3.4m extension coming out to the side of it (5.9m when the balcony and steps are included) and at a height of 5m (taking the proposed roof to just below the first floor bedroom window). The result will be a 5m high wall at 0.25m from Kings Road. This is overbearing and intrusive.
3. The height of the proposed development: The height of the proposed development will, as alluded to above, create a 5m high side wall travelling 3.9m into the garden creating an excessively high side wall facing directly onto our garden. This effectively raises the existing boundary wall to 5m in height, i.e. the first floor. Viewed from the bottom of the garden at Kings Road the width of the proposed build will be 6.8m across. From both angles, again, this is overbearing and intrusive.
4. The length of the proposed development: At the ground floor level, the dining and family room extends 3.4m from the existing building. When the balcony area is included this increases to 4.9m and where the steps descending from the balcony end it is 5.9m from the existing building. As both houses' gardens are parallel it's a noticeable distance for the structure to protrude into the garden which has the impact, as alluded to above, of creating a claustrophobic outside space for 29 Kings Road with a side wall and balcony running right next to our garden.

There is a balcony currently, but set well back from both gardens, which in its current state provides some privacy. If the balcony extends nearly 5m into the garden it brings the entire living space (plus balcony) of 76 Hales Road much closer to our outside living space. The overall length of the structure will be overbearing and intrusive.

Additionally the distance brings the structure much closer to the rear boundary, potentially making it intrusive for houses on Cranham Road with gardens and windows backing onto it. Particularly as the planned windows will be 3m in width.

5. Loss of privacy: building an extension with 3m wide glass doors, and a verandah/balcony/raised platform: Reviewing the architectural plans, there will be a raised platform/balcony and steps built onto the kitchen/family/dining room, extending into the garden by 5-6m. This presents a serious concern around privacy: clearly an extension with two large glass doors measuring 3m in width and a balcony directly overlooking the garden

of 29 Kings Road will significantly impact privacy as the garden area is in regular use as a children's play area and outside dining area, amongst other things. A raised platform will in effect provide a viewing deck spanning 76 Hales Road's garden but also 29 Kings Road's, which will be intrusive, and, as a result, alter usage of the space.

6. Loss of light levels: a 5m high / 3-4m long side wall running 0.25m from our boundary will reduce light levels drastically in two habitable and frequently used rooms in no. 29. This would make redundant the lower ground floor day room / living space. The second space, the upper ground floor reception room, will also have reduced light levels (and suffer aesthetically). In addition to the interior spaces, 29 Kings Road will have a side wall running along its garden. Again, the outcome will be restricted light in the garden.

We intend to instruct a specialist chartered surveyor to assess the light level impact in more detail and understand that we can continue to pursue this course of action, regardless of the formal planning decision.

7. Unsympathetic design of windows and doors: the Sydenham Character Appraisal and Management plan highlights the loss of traditional architectural features such as windows within many historic buildings in the area. The plan specifically cites the example of "timber sliding sash windows being replaced with uPVC windows, which sit out of context within the building and detract from its special qualities." We note the proposed removal of a traditional cross-bar sash window from the lower ground floor and replacement with an unsympathetic style and material (UPVC) on both levels - the upper level of which can be clearly seen from the Kings Road approach.
8. Vegetation: impact on an established and thriving 5m high cherry tree: the planning application states that no trees are in falling distance. There is an established and thriving 5m cherry tree belonging to 29 Kings Road which sits along the boundary wall between the properties. As we understand it, trees in a conservation area are protected. We cannot see how the tree would remain unaffected by the construction work, either through disturbance to the roots during the construction of the foundations and/or severe pollarding necessary in order to facilitate construction of the higher elements of the development. This is before any consideration of the reduction of light on a permanent basis as a result of what is in effect the wall boundary being increased to 5m in height.
9. Visual Impact: The houses sit on the corner of Kings Road and Hales Road. The back elevation of both houses is public, not private, and so this 'rear' extension would be clearly visible from the perspective of those walking up Kings Road, making it unlike typical rear extensions and similar to a side extension. The vista looking up Kings Road towards Hales Road forms part of a 'run' of traditional Victorian houses, including, no. 80 which has been identified as historically significant in the Sydenham Character Appraisal and Management plan. The cherry tree, already mentioned, is an attractive feature, and forms part of this vista enhancing, currently, the visual impact of both 76 Hales Road and 29 Kings Road which can be clearly seen when walking up Kings Road. In addition, 29 Kings Road and 76 Hales Road are fortunate to share a red brick wall in keeping with the character and style of other original period developments in Cheltenham, which will not be enhanced by the construction above it. The proposed structure will not visually enhance the local area nor preserve its character.

In summary our objections stem from three principal concerns:

1. The sheer scale of the proposed development. The proposed development feels excessively large given the area and space in which it is to be constructed.
2. Impact on privacy and amenity for no. 29 Kings Road. The size and proximity of the proposed development to 29 Kings Road means our privacy and light will be severely affected, altering how we use interior and exterior space.

3. The visual impact. Kings Road and Hales Road sit within in a conservation area. Rather than enhancing or preserving the area, the proposed development will significantly impair the overall character of the upper end of Kings Road.

With these thoughts in mind we therefore respectfully request that the plans, in their current form, are rejected.

**Comments:** 24th September 2018

Thanks for information regarding the extension at 76 Hales Rd. I've reviewed the revised plans. Is there further information which provides a clearer indication of dimensions and scale, similar to what was submitted first time round? Without these it's difficult to understand the changes made in this second application.

Many thanks for your help.

**Comments:** 1st October 2018

Having reviewed the revised proposal for 76 Hales Road, we object to the new plans put forward in their current form. We provided detailed comments on the initial proposal. These remain relevant given that the size of the extension is still overly large and bulky; is an inappropriate design; and is creating an unacceptable and overbearing impact on 29 Kings Road as well as drastically reducing light levels. As a quick reminder the objections to the initial proposal which hold true for proposal 2 include:

1. The failure to provide adequate additional plans from the perspective of the public's view (i.e. Kings Road) and the semi-attached neighbouring property (29 Kings Road)
2. The proximity of the proposed development
3. The height of the proposed development
4. The length of the proposed development
5. Loss of privacy
6. Loss of light levels
7. Unsympathetic design of windows and doors
8. Vegetation: impact on an established and thriving 5m high tree
9. Visual Impact

In summary the new plans put forward remain:

- overbearing and out-of-scale in terms of size: the proposed development still feels excessively large given the area and space in which it is to be constructed.
- impactful the on privacy and amenity for no. 29 Kings Road: the size and proximity of the proposed development to 29 Kings Road still means our privacy and light will be severely affected, altering how we use interior and exterior space.
- insensitive and unsympathetic in the context of a conservation area: Kings Road and Hales Road sit within in a conservation area. Rather than enhancing or preserving the area, the proposed development will still significantly impair the overall character of the upper end of Kings Road.

Please see outlined below our objections to the second proposal.

The height of the proposed development has been reduced from 5m to 4.5m. This is only a 10% reduction in height, so is still too high given the proximity to no. 29. The main extension will now extend 2.2m rather than 3.4m into the garden, but at 4.5m in height will still create an excessively high wall facing directly onto no. 29's garden which, apart from the obvious visual impact, will significantly reduce light levels in two rooms - the rear facing ground floor study and the lower ground floor day room: this particularly will be affected.

Quite obviously reductions in height and length needed to be made, but they are not solving the issue which is that the extension will still have significant negative impact on light levels both inside and outside no. 29.

Effectively a wall is still being created along the boundary. It is now 0.75m away from no. 29 rather than 0.25m, but this is not a significant amount and again makes little difference due to the overall size and scale of the extension and the proximity of the two houses.

At the ground floor level, the proposal is for the dining and family room to extend 2.2m from the existing building, but the balcony area increases the extension to 4.3m, which compared to where the balcony finished with the original proposal, is only a reduction of 0.6m (a minor alteration). The result of this is that with both houses' gardens being parallel the balcony still creates an elevated viewing deck overlooking no. 29's garden, which is used often as a children's play area, and, in particular, patio/seating area impacting privacy. Even with the proposed cedar cladding (more detail on that below) the extension and balcony will have visual access to no. 29's patio which is overbearing, intrusive, affecting privacy and will ultimately alter the usage of the spaces.

In addition, when the extension is viewed from no. 29's patio/seating area, the width of the proposed extension will be 6m across, which again feels too big for the space. With this, the width of the bi-fold door windows has increased from 3m to 3.7m. As well as the balcony, a wider view from 76 Hales Road into no. 29's patio area has been created. This applies for neighbours on Cranham Road as well who will be overlooked. There is a balcony currently, but set well back from both gardens, which in its current state provides some privacy. If the balcony extends nearly 4.5m into the garden it brings 76 Hales Road much closer to 29 Kings Road's outside living space

Plans have been put forward to erect cedar cladding to try to mitigate the intrusiveness on our privacy. However, we object to the cedar cladding for a number of reasons:

- The cedar cladding will not mitigate intrusiveness - in our view, it is intrusive in itself to erect a 3m high fence along a party wall. No. 29's patio/family seating area is at the rear of the garden which means that a balcony extending nearly 4.5m into the garden and which is elevated will still have direct access of no. 29's patio area. This remains intrusive and overbearing. The cladding runs along the upper part of the garden so will not act as a barrier.
- In addition to the 4.5m high wall the extension creates, the cedar cladding will also create a wall itself, 3m high at its highest point and 2.7m high at its lowest point, which will run along the boundary for a maximum of 6m from the original building. The cedar cladding will be intrusive and block out light (especially for no. 29's lower ground floor day room). It's overbearing.
- Cedar cladding is unsympathetic and not in keeping with the local area, particularly when it's erected to 3m in height which is too high. Given we're in a conservation area cedar cladding is not in keeping with the Victorian houses and red brick wall. There is also the visual Impact: the houses sit on the corner of Kings Road and Hales Road. The back elevation of both houses is public, not private, and so 3m high cedar cladding would be out of place when viewed from Kings Road.
- No. 29 should not be bare the responsibility for the cost, maintenance and appearance of the cedar cladding facing directly onto no. 29's garden.

The planning application still states that no trees are in falling distance. This is incorrect as there is an established 5m high tree belonging to 29 Kings Road which sits along the boundary wall between the properties. Having read the comments from the Tree Section we cannot see how the tree would remain unaffected by the construction work, given its proximity and its roots reaching into 76 Hales Road.

In conclusion, the first proposal was rejected on the basis that it was overly large and bulky, had an unacceptable and overbearing impact, was an inappropriate design, and created an unacceptable and overbearing impact on 29 Kings Road as well as impacting light levels. If the same reasoning is applied by the Council, which I presume it will be, this second proposal, while marginally smaller, is still too big and overbearing for the environment it's being built in. The light levels will still be affected negatively. It is still an inappropriate design given the conversation area we live in. It is still intrusive, affecting privacy and ultimately how we use our own space. If the Council saw fit to reject the original plans, given so little has altered, I hope they see fit to reject the second set of plans.

74 Hales Road  
Cheltenham  
Gloucestershire  
GL52 6SS

**Comments:** 22nd August 2018

1 Visual impact, in a conservation area.

The noticeable visual impact of a substantial extension of this magnitude seems out of place in a conservation area, not only when seen from adjacent gardens but also for the public viewpoint in Kings Road. This impact, particular in relation to the surrounding immediate area, is not communicated by the isolated, distant viewpoint created by the provided drawings.

2 Privacy

The two side facing 'ground floor' windows (this floor actually being about 1.5m above external ground level)), look directly across the gardens of both 74 and 72 Hales Road at over ~3m above the ground level at this point.

The natural downward fall of the rear gardens aggravates the visual intrusion of the 'ground floor' extension. Anyone on the decking area will be well above the existing brick walls between properties (the height of which is limited by existing covenants on 74 Hales Rd). The drawing "Elevation from adjoining neighbour proposed" gives some idea of this although it fails to indicate the extent of the rear garden and the consequent fact that the deck is now almost half way down that. This could better be appreciated from the "1:500 Block plan" which does not indicate the decking.

3 Traffic

Whilst there should obviously be no long term traffic issue, during the construction period disposal, delivery and contractor vehicles are a cause for concern. Hales Road carries 20000+ vehicles per day (CBC traffic analysis figures) and is a main artery for emergency vehicles, already subject to traffic queueing back from London Rd at peak times. When double yellow lines were added to Hales Rd in both directions from Kings Road, they were a very welcome safety addition since any vehicles parking in this area are a substantial danger to those attempting to join Hales Road from Kings Rd. In particular however, these parking restrictions reduce the risk to people attempting to exit their drives on the blind side of the nearby bend. Any non-trivial obstructions potentially have an adverse safety aspect as well as a possible impact on traffic flow.

Regretfully, I respectfully feel obliged to object to this application

**Comments:** 30th September 2018

Thank you for the revised plans for the extension to 76 Hales Road, which we have reviewed carefully.

In addition to our earlier comments, which have partly been addressed, I would like to highlight (having confirmed this with the planning officer on Friday 28th September) that the plans show the proposed height of the decking area as below the height of the wall between the back

gardens of 74 and 76 Hales Road. However, this is not correct. The proposed decking area will be above the height of this wall. Moreover, the top of this wall falls as the garden recedes from the house. At its revised position, we would estimate that the decking will be approximately 0.5m above the wall dividing the gardens of 74 and 76 Hales Road. This is intrusive, significantly impacting on the privacy of our back garden.