

APPLICATION NO: 18/02560/FUL		OFFICER: Miss Claire Donnelly	
DATE REGISTERED: 20th December 2018		DATE OF EXPIRY : 14th February 2019	
WARD: Prestbury		PARISH: PREST	
APPLICANT:	Mr And Mrs Bence		
LOCATION:	Tree Tops, Southam Road, Cheltenham		
PROPOSAL:	Internal & external alterations including single storey side extensions, two storey rear extension and new triple bay garage with link (revised application to previously approved application ref. 18/00603/FUL; changes include alterations to existing roof) (part retrospective)		

REPRESENTATIONS

Number of contributors	13
Number of objections	9
Number of representations	0
Number of supporting	4

2 Mill Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3NE

Comments: 9th February 2019

As neighbours who adjoin Tree Tops we supported the original application to develop and enhance Tree Tops and continue to do so. There are several other comments suggesting that this type of development should be encouraged or Prestbury will find a multi-house development on this type of site. We entirely agree. No development of any nature does not affect various views nor how buildings look when one is passing them. However, it is our understanding that the applicants have been ready to make adjustments in response to comments and have already done so.

For the good of Prestbury we should be encouraging such development and all of us accept that compromise is required to arrive at a reasonable outcome for all concerned. We should also have more faith in the CBC Planning staff. They deal with these situations all the time, are well used to the workings of developers and would spot deliberate attempts to circumvent their processes much more easily than neighbours or passers by.

We encourage this development.

3 Mill Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3NE

Comments: 25th December 2018

We note the revised planning application proposes to reinstate the first floor accommodation above the triple garage that was initially included in the original application but removed before the original application was approved.

We object to the revised planning application, because of the following concerns:

1/ Loss of Privacy: as the triple garage gable end wall will abut our boundary and the first floor accommodation will be above our boundary fence, we are very concerned the round portal shaped window in the gable end wall will directly overlook our property. We would much prefer there be no round portal window included in the gable end wall, or that the glass used in such window be opaque (unclear) to eradicate this concern.

2/ Noise or disturbance: as the first floor accommodation will abut our boundary we are very concerned about being disturbed by noise generated by certain uses of the first floor accommodation. We would much prefer there to be a restriction on the use of the first floor accommodation - e.g. not to be used for music playing.

Robinswood
Noverton Lane
Prestbury
Cheltenham
Gloucestershire
GL52 5BB

Comments: 6th January 2019

I live in one of the properties adjoining Tree Tops. I have the following comments on planning matters.

The revised application to now include Velux windows in the roof of the main property directly affects the privacy of my property. Additionally, the change of use from presumed spare bedrooms to a snug suggests more frequent use of the space, including during the daytime. I note that the cill is specified at 1.6m above the floor level, from which I infer that they are not designed to look through but just to provide additional light. If those Velux windows were fitted with obscured glass and unable to be opened, my concerns about privacy would be allayed. This seems a reasonable compromise.

The application to increase the height of the roof of the main property makes the Tree Tops house a more significant feature as seen from my property and reduces the sense of separation between our properties. I accept that this visual impact on my property may not provide sufficient reason alone to object to the revised application but it may combine with other factors for the council to consider.

The proposed revised front elevation of the property is significantly less attractive, in my view, with the additional metre of masonry and foreshortened roof, affecting the visual impact of the property as seen from Southam Road. Further, the proportions of the front elevation of the house would now be inconsistent with the garage: I think this accentuates the strange proportions of the house.

Finally, I wish to make a point about the planning process itself, which is about planning matters in the wider sense. I did not object to the initial application because I thought the design was a reasonable compromise between improving the property while maintaining the overall visual impact and privacy for my property. I look forward to a positive and friendly relationship with the new occupants of Tree Tops. However, I wish to register with the planning committee my reaction to this part-retrospective revised application and the building work that preceded it. I am dismayed at the apparent disrespect to the neighbours of Tree Tops and cynical disregard for the authority of the council in the way that the architect and builder have ignored the approved plans, removing the existing roof and replacing it with a structure that is about a metre higher than permitted and changing the front elevation so that it does not resemble the approved plans. I can only imagine those involved thought nobody would notice and it would become a fait accompli.

Comments: 12th February 2019

I refer to your letter of 5 February 2019 drawing my attention to a further set of revised drawings seeking part-retrospective permission for the structure of the main house that has already been built. My original objections still stand because the revised drawings do not provide sufficient information and are inconsistent, reducing my trust in what has been submitted.

The revised drawings show that the rear Velux windows will be different because different line types have been used but the drawings do not explain what the different lines mean, specifically whether the windows are now to be fitted with obscured glass and non-opening lights. An explanation of the line types on the drawings would address this.

The front elevation of the building is marginally improved by the use of the banding detail though the front elevation remains unattractive in my opinion: the additional masonry parapet above the band seems unnecessarily high.

More significantly, the drawing set is inconsistent and this reduces my confidence that the drawings are accurate. For example, the parapet referred to above is a continuation of the building line according to the elevation drawings but is stepped back according to the plan view. For a second example, the front elevation of the revised drawings is inconsistent with the photographs on this website of what has actually been built. I draw your attention to the stonework (or absence of stonework) above the side door. What has been built reflects the plans submitted in December but not the plans submitted in February. Does this demonstrate poor quality drawings or is the intention to remove the stonework as shown in the revised drawings?

Given the inconsistency in the drawings described above, I cannot tell whether some changes are artefacts of errors or genuine changes that will be honoured. Submitted drawings must be accurate otherwise an unprincipled builder could later claim that unpalatable aspects of the drawings were just innocent errors.

When coupled with the past apparent contempt for the planning process, this further reduces my confidence and trust that what will be built is accurately reflected in any of the drawings that have been submitted so far. Would it be possible for the submission to be supplemented with the drawings that the builders actually used for the construction work done so far?

It should be of significant concern to the council that its procedures can be cynically manipulated. The challenge to the council is whether a builder should be allowed to knowingly build beyond what was agreed (and to which many of us did not object because we actually welcome improvements to the property) and then be given retrospective permission. It is a matter of principle, important to the law-abiding residents it serves, that the council should enforce its own planning process or risk seeing the authority of its process be undermined for all future applications.

Grey Gables
Southam Road
Cheltenham
Gloucestershire
GL52 3BB

Comments: 8th January 2019

[Supporting photos available to view in Documents tab]

Thank you for your letter of 21st. December 2018. We strongly object to the above application as follows:

Alterations to existing roof (retrospective).

The roof height and front wall of the property have been increased by approximately 1.2 metres and two large dormer windows at a high level have been incorporated directly overlooking our garden and affecting our privacy. These dormer windows also directly overlook the windows of our master bedroom. Neither of the alterations were incorporated in the original or revised applications in March and June 2018. These extra building works are therefore in breach of planning approvals and have been subject to visits by the enforcement officer. The increased height of the building has also obscured our views to Cleeve Hill.

Increase in height of proposed triple garage roof with room over and two dormer windows including a link from garages to main building.

We again object to this as the new dormer windows will be overlooking our property.

In conclusion we consider the proposed alterations will not only affect our privacy and views to the Cotswold Hills but will also make the extended property now appear too large and overdeveloped. The impact of the development has been made more obvious when viewed from the main road by the removal of several mature trees on the site.

We made no objections to the initial plans as a gesture of goodwill to our proposed new neighbours but are appalled that the applicants can blatantly violate planning permissions and show no concern for their neighbours in this way. If these were their desired improvements they should have been included in the original planning applications and therefore given us the opportunity to review the plans and make any necessary comments at the outset.

Comments: 13th February 2019

Thank you for your letter of 5th. February 2019. We strongly object to the above application as follows:

Alterations to existing roof (retrospective).

The roof height and front wall of the property have been increased by approximately 1.2 metres and two large dormer windows at a high level have been incorporated directly overlooking our garden and affecting our privacy. These dormer windows also directly overlook the windows of our master bedroom. Neither of these alterations were incorporated in the original or revised applications in March and June 2018. The increased height of the building has also obscured our views to Cleeve Hill. Also, the revised plans of 5th. February appear inconsistent and do not concur with the actual building works that have already been carried out without planning approval.

These extra building works are therefore in breach of planning approvals and have been the subject of visits by the enforcement officer. We consider these extra works to be a serious abuse of planning regulations and if the retrospective plans are approved, may set a precedent for any future similar building works in the area.

6 Finchcroft Lane
Cheltenham
Gloucestershire
GL52 5BG

Comments: 31st January 2019

As a local who walks their dogs daily past Tree Tops, i dismiss the objections raised with reference to the proposal and give my unequivocal support for it

Tree Tops is a tired and outdated dwelling with substandard build quality. The plans to improve and extend the property should be welcomed rather than rejected

The new proposal is a small amendment with little impact and frankly should require far less attention than it is experiencing. To create a lighter larger living space to accommodate a family

should not be restricted; rather more embraced. Far too many times in village areas like Prestbury do we see local comment on trivial planning matters like this when it all it does is create significant stress and anxiety both emotionally and financially for the family who all they want is to settle in a beautiful area. Those of us who embrace life in the Prestbury Parish can ill afford to reject progress otherwise the knock on effect on local services, schools and facilities will be catastrophic

Lets look at the bigger picture

3 The Stables
Mill Lane
Prestbury Cheltenham
GL52 3NE

Comments: 2nd January 2019

The proposed modifications to the height of the structure will have a negative impact on the privacy of the surrounding homes, something that was recognised in the Officer Report published by the council on 21 June 2018 that acknowledged initial concerns regarding the height of the proposed two storey garage and indicated that the proposed reduction in height to single storey would overcome those concerns. For there now to be an attempt to increase the height of the buildings again is surely unacceptable. Any alterations should be limited to those already approved by the Council.

5 The Stables
Mill Lane
Prestbury
Cheltenham
Gloucestershire
GL523NE

Comments: 12th February 2019

Letter available to view in Documents tab.

Comments: 7th January 2019

I object to the proposed application on the following grounds :

1. - Loss of light. The comment(3.6) on the Planning Statement indicates that 'the front pitch of the roof has changed slightly'... 900 mm is not what i would define as a 'slight change'. it is 900 mm which were not validated and which have seriously affected my light.
2. - Loss of privacy. The guidance of Cheltenham's councils SPD (planning statement 3.10) says that 'extensions should not dominate or detract from the original building but plays a supporting role to the original construction'.... what happened to the original 2 storey extension then ? this 2 storey extension has dramatically affected my outlook. It comes within inches of my boundaries and has seriously affected my privacy. The owners have now a plunging view of my kitchen, landing and bathroom.
3. - A first floor extension on the triple bay garages would only accentuate/increase my loss of light and privacy.

4 The Stables
Mill Lane, Prestbury
Cheltenham
GL52 3NE

Comments: 9th January 2019

I refer to your letter of 21st December 2018 and wish to object to the proposed alterations at Tree Tops.

The extended building already dominates the view from my kitchen at No 4 The Stables owing to its close proximity to my boundary. The rear windows overlook my garden adversely affecting privacy. Further the increased height of the roof (which I understand was not approved) restricts even more light to the properties at The Stables. My main concern is the proposed alterations to the garage section, to include first floor accommodation which will block more light and obscure pleasant views of trees which my neighbours and I have enjoyed for so many years. It is unfair and unacceptable to have so much enjoyment of views and light taken away. The retrospective planning application to include further building to this already huge property smacks of sharp practice and should not be allowed.

In conclusion I would comment that the submitted plans, both original and retrospective are misleading and inaccurate in scale.

7 The Stables
Mill Lane
Prestbury
Cheltenham
Gloucestershire
GL52 3PG

Comments: 8th January 2019

We are residents of The Stables, Mill Lane, Prestbury and wish to submit the following comments relating to the above planning reference.

The visual impact of the oversized and out of scale extension to "Treetops" now dominates the back gardens of 5 houses within "The Stables" development.

The effect of such a large imposing building now restricts the spring and Autumn sunshine and the roof has not even been put on yet, even now it completely overlooks the back gardens and rear of the houses. As the windows in the new extension are so high they look directly into the much smaller scale houses of the Stables.

Added to this is the controversial felling last Autumn of a beautiful 75-100 year old copper beech tree which now exposes more of this dominating building to the surrounding houses regrettably leaving only the 40 ft Leylandis which are far from beautiful.

This building, which is much taller and closer than shown on the original plans, now comes right to the boundary fence of the Stables. The total development has been done with complete disregard to its immediate neighbours

41 The Burgage
Prestbury
Cheltenham
Gloucestershire
GL52 3DL

Comments: 31st January 2019

I've lived in Prestbury for 12 years and am therefore very familiar with Tree Tops. I'm astonished that anyone could possibly object to a change that is not materially different to what was originally approved and will not negatively impact on anyone.

We should be encouraging property improvements such as this and support minor proposals for alterations rather than deliberately being awkward for no rational reasons.

Small villages must think long & hard about how they reinvent themselves in this challenging economy and instead should welcome new residents with open arms who want to invest in the village and in this instance make a minor change to their plan.

I hope common sense prevails.

19 The Grove
Hales Road
Cheltenham
Gloucestershire
GL52 6SX

Comments: 8th January 2019

These objections to the application are made on behalf of the owner of 6 The Stables as follows:

1. The changes to the main house do not comply with Policy SD4 of the Joint Core Strategy and Policy CP7 of the Local Plan. The increase of the parapet height due to the increased ridge height gives the Georgian elevation poor proportions. What architectural merit it had will be reduced so contravening the above policies which seek enhancement not devaluation. The house adjoins the Prestbury Conservation Area, so its architectural integrity is an important consideration. Also, the removal of the curved heads to the dormers and replacement with ordinary pitched roofs again diminishes the architectural quality of the original approved elevation.

2. The addition to the roof over the garages to contain living accommodation does not comply with the councils adopted Supplementary Planning Document: Residential Alterations and Extensions (2008) that requires new extensions to be subservient to the parent dwelling. If the roof had not been raised nearly a metre this unfortunate relationship would have been even worse. Is this a true reflection of what will be built? Can the builder be trusted not to add another 90 centimetres? There is no section to clarify whether the elevation is deliverable. Also, the plans have no spot height which were shown on the original application which again leaves a concerning vagueness.

3. The link between the garages and the main house is now a pitched roof. There is no justification for this. Why can it not remain as a flat roof which is more architecturally appropriate and would limit its impact on the adjoining land.

4. The information in the application is unhelpful to people trying to understand the impact of these changes. It should clearly show the differences between what was approved in application 18/00603/FUL and what is proposed in easy to read plans. The inclusion of the original drawings of the original confuse rather than clarify.

Possibly if the applicant had gone through some early consultation with officers, which is advised in most guidance, then surely a better design solution could have been achieved.

155B New Barn Lane
Cheltenham
Gloucestershire
GL52 3LH

Comments: 30th January 2019

As a resident of Prestbury for over 15 years, I have been following with great interest the progress of the works at Tree Tops on what was to be honest a large property that had fallen into a state of disrepair.

What I believe people are missing here is that could have easily been sold to a developer and three or more units rammed in. The Mews houses to the rear of this site and accessed off Mill Lane are a monstrosity and example of over development that the objections seem to be suggesting is happening at Tree tops.

Prestbury as a village is dying, this year alone we have lost the doctors surgery and the Kings Arms, we must face the facts we have an ageing population and if we are not careful will soon be swallowed up by Bishops Cleeve.

Having just read the objections online I am extremely disappointed that the plans of a young family to move to the village, modernise what was a very tired property into a family home are coming under such attack with quite frankly some very misguided conspiracy theories.

From what I can see, all this young family have tried to achieve here is a large family home with the space associated with modern living. If they need to raise the roof pitch slightly to make the rooms usable then I am at a loss to what detriment it is to our beautiful village.

The fact our tax payer's money is being wasted on such a minor matter as a roof level requiring to be raised by less than a metre, is blatant NIMBY behaviour.

Common sense needs to prevail here, as community we have bigger planning challenges to invest our time in, hassling a family with objections based on personal preference or because neighbours feel they will in some way be affected is short sighted and ill founded.

I remain in full support of this amendment to planning and wish the owners every success is setting up their family home.

Shandon
Noverton Avenue
Cheltenham
Gloucestershire
GL52 5DB

Comments: 16th January 2019

I am writing to register an objection to the above revised application.

I became aware of this construction while walking in Mill Lane recently, and it appeared that it was already significantly higher than surrounding properties. The current construction bears little resemblance to the original approved plans, and I understand that following complaints from neighbours, a revised application has been submitted to seek retrospective approval.

The differences between the original plans and the construction that has been completed to date is substantial, which leads me to conclude that this was the applicants original intention from the start.

One of the reasons given for increasing the overall height etc. was to give more headroom. As the plans were produced by a professional architect, should the question of inadequate headroom not have been established at the design stage? This therefore appears to be an attempt to bypass the established planning procedures.

The extra ridge height is very evident from Mill Lane and the Parkland to the north and detracts from its views towards Prestbury. There is also the question as to whether the site is being overdeveloped in relation to its location.

These building works are therefore in breach of planning approvals for the site, and detract from the area as a whole; in particular the amenity of those properties directly bounding the site.

I urge the planning department to reject this revised application and insist the original plans are followed. Had this been a minor and unavoidable deviation it may have been permissible, but

applicants and their professional advisors should not be encouraged to use retrospective applications to gain advantage over others who play to the rules.





To substantiate my earlier objection the enclosed photos show Tree Tops is seriously affecting my privacy and light. It is a very imposing construction made even worse by the extra meter they have craftily constructed without permission.



