

APPLICATION NO: 19/00088/FUL		OFFICER: Miss Claire Donnelly	
DATE REGISTERED: 17th January 2019		DATE OF EXPIRY : 14th March 2019	
WARD: Park		PARISH:	
APPLICANT:	Dr & Mrs Saha		
LOCATION:	16 Rowena Cade Avenue, Cheltenham, Gloucestershire		
PROPOSAL:	Single storey rear extension and alterations to front and rear elevations to include Juliette balconies		

REPRESENTATIONS

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

Minack House
14 Rowena Cade Avenue
Cheltenham
Gloucestershire
GL50 2LA

Comments: 5th February 2019

We write in connection with the planning application at 16 Rowena Cade Avenue, namely a substantial ground floor extension with roof terrace over. The proposed extension and roof terrace are immediately adjacent to our southern boundary and, at 4.20m in depth, will extend approximately half way along our southern boundary fence.

The property at number 16 is set back further from the road than our home and at certain times of the day this results in the rear of our house being overshadowed, particularly to our lounge and patio. To compensate for this we added large glass sliding doors to our lounge to maximize light into these areas, which also allows light to flow through to the patio, dining room and kitchen.

We wish to strongly object to the proposal on the following grounds:

Extension

- The scale of the extension is out of keeping with the size of the small gardens in the development and is not subservient to the existing building. It will dominate the rear of the property/plot and affect the residential amenity and privacy we currently enjoy.
- The scale and height of the extension will dominate our rear garden and due to the orientation of our garden and house in relation to the sun, we will suffer an increase in overshadowing throughout the day including loss of light and sunlight in both our rear garden, patio and our rear ground floor rooms, namely lounge, dining room and kitchen i.e. the principle living rooms of our house. This will adversely impact upon the enjoyment of our home and our rear garden.

Roof Terrace

- The roof terrace will add to and increase the overshadowing, loss of light and privacy in all of the above areas.
- The roof terrace will overlook all of the adjacent gardens, including our own. We presume the inclusion of such a large roof terrace is not just for decoration but for the actual use by the householders and as such will significantly impair the enjoyment of our garden and amenity, both in terms of privacy and the potential of creating additional noise and disturbance.
- Once built, the future use of the roof terrace cannot be controlled. It is of such a size that, for example, children could easily play up there, it could be used for alfresco dining, whether it is a coffee in the morning, lunch or a BBQ and drinks in the evening, or indeed for any other form of entertaining. It is our belief that any form of recreational and leisure use on the roof terrace will mean the privacy and enjoyment of the rooms on the rear of our home, including our main bedroom which is adjacent to the proposed roof terrace, as well as our patio and garden, would be adversely impacted. The residential amenity and privacy that first attracted us to this house, and that we have enjoyed since moving here 9 years ago will disappear.
- The simplistic inclusion of frosted glass at either end of the roof terrace as well as the clear glass along its width, does not, we believe, respect neighbour's privacy. Any form of roof terrace here, however constructed, will intrude upon the privacy of our garden and home, and accordingly we strongly object to any proposal of this type.

20 Rowena Cade Avenue
Cheltenham
Gloucestershire
GL50 2LA

Comments: 4th February 2019

I write to state our opposition to the planning application submitted by and at 16 Rowena Cade Avenue. Our house is directly adjacent to this house and the proposed development. The rear of our property and small garden directly abuts the proposed development area and has a ground level approximately 80cm below the ground level for No 16.

The proposed development comprises three parts, from our perspective: a single storey rear extension, the changes at the front of the property and the third part being the first floor roof terrace.

We can understand the desire for a single storey extension. We would have no objections to this, providing it complies with all local plans and policies, that the scale of any extension is in proportion to the existing building, and does not dominate, nor detract from, the amenity for the rear gardens of the houses affected here in this corner of the development. In our opinion, the current proposal is at the limit of this dominance.

On the second item, the front of the house, we have no objections.

On the third item: the first floor roof terrace, we have strong and substantial objections on several principles, but mainly due to the impact on our enjoyment and amenity of our current living spaces:-

- Loss of privacy: the roof terrace would have direct views into 3 bedrooms, a kitchen, a dining room and a lounge. As the property at no16 is also built at a higher ground level, this intrusion would be exacerbated.

- Loss of amenity: the roof terrace would have unimpeded views over 100% of our rear garden. We have no private area at the front of our house, due to the conservation area being public. Therefore, our only private external space is limited to our rear garden, and our private use of that amenity would be completely compromised. Again, the higher build level exacerbates this.
- Increased noise and disturbance: the sole reason for designing an open terrace into the proposed design would be to make use of that space. Use of that space would generate noise, which would transmit in an unimpeded manner into all of our garden and patio, making those areas less usable for us, and affecting our ability to enjoy our garden leisure time in peace.
- Ensuring equity in the planning process: A previous planning application at No 14, which included a much less intrusive Juliet balcony, was rejected on similar grounds. It would be difficult to explain why No 14's application was rejected, if this application were allowed. Therefore, we request that local plans and policies are applied in the same manner here.
- Loss of light; to a much lesser degree, the terrace and its balustrade would impact light into our garden and house, particularly in the morning, again exacerbated due to the raised building height compared to our property.

These objections persist for any form of increased first floor access over the current built property: we would have strong objections to any form of roof terrace of any variety. We believe the currently proposed frosted glass ends are merely an architectural conceit, to attempt to make the terrace appear less intrusive and do not reduce the valid concerns mentioned above in any meaningful way.

We therefore request that the current application is brought to committee, such that any potential alterations have the forum for adequate public review, and Member discussion, prior to any decision being made.

Comments: 11th March 2019

Revised plans for development at 16 Rowena Cade Avenue

We note the revised plans, and welcome the recognition from both our neighbours, and from the planning department, on the removal of the roof terrace element. We do remain concerned, however, on the use of the balcony doors at the rear of the property on two main principles:

1. The reasons to extend the current windows into doors would either be to improve light to the bedrooms (they are both west facing, so should not have an issue with light) or to give access beyond the doors. As the doors, as drawn, all open outwards, this concern is exacerbated. We are concerned that, in the future, secondary planning permission may be sought to use that area, or that the roof area is used informally, without permission - both of which would give us great concerns on lack of privacy. We also note that the balcony doors have no opening portions, therefore the only way to get ventilation into those rooms would be to open the doors themselves, supporting our privacy concerns. We would therefore be very happy should these glazed areas remain with windows, as is, rather than be changed to patio doors.
2. On the subject of planning process equity, it would also be difficult to explain why a similar proposal from No 14 for first floor balcony doors was rejected, if that same proposal for No 16 were accepted.

On the subject of the revised plans themselves, we can understand our neighbours' desire to extend their house and enlarge their kitchen area. We are willing to find a compromise on their desires, whilst maintaining light and amenity into our property. This area is directly behind our own kitchen, and is therefore well within the 45 degree rule. We have examined the first floor plans more clearly and note:-

There is a build height, and therefore amenity and light issue. On our side of the property, the proposed kitchen extension protrudes 3.2m from the furthest rear point of the house (I believe the protrusion is 4.25m at the other side). The build height of the opaque parts of the extension is 2.7m above their ground level, with another 1.0m height for a substantial lantern. There is a fence between our properties of 1.8m - the proposed extension would therefore project 0.9 - 1.9 metres above the current fence. Our neighbour's build level is 0.5m above the build level for our property. This means that we would look out from our kitchen onto additional walls built 3.2m (2.7m + 0.5m) above our ground level and directly into our line of sight. This would have a detrimental impact on us, and we still have significant concerns in respect of this particular aspect of the application.

Overall, we appreciate that changes have been made to the application to mitigate the effects, but we believe there are three further steps that must be taken before any permission is considered.

Firstly, we would like the planning department to confirm that the scale of the proposed extension is within normal guidelines for a conversation area. Secondly we would wish to reduce the visual impact of the proposed development. Thirdly, we would wish to make absolutely sure that the built dimensions do not exceed in any way the dimensions approved.

Lastly, we would expect suitable planning conditions to be applied to any permission, such that our present amenity and wellbeing are not affected without further formal planning permission being sought.

We understand that the current block plans, as used to calculate light impact, are incorrect, so are unclear how any party looking to assess that impact can do so without visiting the site. We are happy to assist with any parties who wish to do so.

As any extension would be visible from both the ground and first floors of our property, we would also ask that materials used are in line with the existing development and build style, so as to keep continuity and amenity at a consistent level.

In summary, the plans, as they currently stand would reduce the light into our kitchen area and impair the amenity we currently enjoy. This issue could be mitigated by either reducing the proposed height of the build, or by reducing the depth of the build proposed: either would be an acceptable outcome for us. We are willing to find a mutually acceptable outcome, and one that passes all planning requirements.