

|  |   |  |
|--|---|--|
| <b>APPLICATION NO: 19/01141/FUL</b>    |   | <b>OFFICER: Mr Ben Hawkes</b>            |
| <b>DATE REGISTERED:</b> 21st June 2019 |   | <b>DATE OF EXPIRY :</b> 16th August 2019 |
| <b>WARD:</b> Park                      |   | <b>PARISH:</b>                           |
| <b>APPLICANT:</b>                      | Mr Neil Otter   |  |
| <b>LOCATION:</b>                       | 2 Bethesda Street, Cheltenham                               |  |
| <b>PROPOSAL:</b>                       | Erection of a new dwelling to the rear of 2 Bethesda Street |  |

## REPRESENTATIONS

|                           |           |
|---------------------------|-----------|
| Number of contributors    | <b>13</b> |
| Number of objections      | <b>11</b> |
| Number of representations | <b>2</b>  |
| Number of supporting      | <b>0</b>  |

Bethesda Hall  
Chapel Lane  
Cheltenham  
Gloucestershire  
GL50 2AR

**Comments:** 22nd July 2019

On behalf of 45th Cheltenham (Bethesda) Scout Group, I am writing to object to the proposed dwelling at the rear of 2 Bethesda Street, which would front onto Chapel Lane directly opposite the south end of Bethesda Church Hall.

As regular users of Bethesda Church Hall, our main concern with this proposed dwelling is the loss of privacy due to the 1st and 2nd floor windows having direct line of sight into the Hall. This would be a serious safeguarding concern for our members, as all the activities run by our sections in the main hall, who are aged between 6 and 14 years, could be viewed from these windows! This would also apply to the numerous other users of the Hall, which includes children of play group age!

Having read through all the planning documents and the concerns and objection already lodged against this development, I totally agree that it will also have a detrimental affect on the immediate surrounding area. In particular the blocking of the natural sunlight into the Hall, causing it to be in permanent shadow, the loss of a parking space plus additional cars for the proposed new dwelling, thus adding to the already congested parking and the further erosion of Chapel lane, which is already in a bad state of repair.

On behalf of the Scout Group, I seriously hope that due consideration is taken in account of the real concern over this unnecessary development, especially in term of the safeguarding of our members and the detriment to the local community.

Central Buildings, Oldham Street  
Manchester  
M1 1JQ

**Comments:** 7th August 2019

I write on behalf of the Methodist Church with reference to application no. 19/01141/FUL. I write in my capacity as the Connexional Conservation Officer whose primary role is to provide advice and guidance to church trustees on matters relating to the historic environment.

We have been notified of the application to erect a new dwelling to the rear of 2 Bethesda Street. Which is a site opposite to and facing onto the church hall. A building which forms part of the Bethesda Methodist Church suite of buildings, and is covered by the grade II listed. Consequently, there is a statutory duty to preserve its setting. The site is also within the Conservation Area, the appraisal of which makes special reference to the positive contribution made by the Methodist Church. The church and former Sunday school has evidential, historic, and aesthetic value but also has considerable community value as it provides spiritual and community outreach to those who wish to use it.

The development site is largely undeveloped. There are some historic buildings evident from older maps but these appear to be ancillary to the buildings on Union Street (now Bethesda Street). The setting of the hall has therefore been relatively open compared to other buildings along Chapel Lane and this has permitted considerable light levels into the hall from this angle. This will certainly be affected by the infilling and development of this space. The impact of this needs to be carefully considered as reduced light levels may reduce the usability of this hall and may result in the need for alterations to it - both of which will impact on its community and architectural value.

The revised drawings show a design that is wholly unacceptable for this sensitive location, and ignores its local context. The scale of the other houses on Chapel Lane is much smaller, having a more cottage and simple two-bay appearance. Furthermore, the design in terms of appearance is also at odds with the buildings in the vicinity, and includes dormers and Velux windows, as well as windows on the rear which are of an unusual proportion. The amount of accommodation clearly needs to be reduced if the principle of development is acceptable here.

Overall, we object to the proposed development as we believe this will cause harm to the character and appearance of the conservation area, and to the setting of the listed building. We believe that this harm will not be outweighed by public benefits, and will indeed affect, negatively the public benefits currently offered by the church.

13 Commercial Street  
Cheltenham  
Gloucestershire  
GL50 2AU

**Comments:** 2nd July 2019

We wish to object to the above proposal on the following grounds.

This is yet another example of garden grabbing in this area - new-builds squeezed into tiny gardens - to the detriment of existing properties, in this case to the existing house (2 Bethesda Street): to neighbouring properties, including Bethesda Church and Numbers 1 and 3 Chapel Lane; to the lane itself and the surrounding area.

The Suffolks (not Tivoli as stated on the application form) is an area of mainly 2 storey artisan buildings with a character all of its own. Its value has obviously been recognised by the Council as it is part of the Central Conservation Area. In recent years, this has been under threat because of some unfortunate developments, some in Chapel Lane itself.

It is also in Zone 8 as far as Residents' Parking is concerned. The streets here are narrow and the number of car-owning residents far outweighs the space available. The result is that we pay for the facility but often are forced to park several streets away as we did before charges were introduced.

The proposed development would mean the loss of a parking space in the garden of 2 Bethesda Street and the additional demand for street parking by the future residents of the proposed new build, at least 3 spaces in all. This is not a one-off. Over the last 10 years demand for parking spaces has risen exponentially as new houses have been squeezed into small spaces in the area. The local roads have become increasingly difficult to navigate.

Loss of gardens and amenity space also has an effect on wildlife and the environment and should be a factor in all Council decisions.

I note that the Civic society has concerns about the proposal, and the fact that it is a Full Application supported by a conceptual design and we would agree that this is inappropriate and with the other objections which they have made. We do object though to the infill as there would be a negative impact on numbers 1 and 3 Chapel Lane in terms of retaining a detached status, access to side walls for maintenance and other purposes; loss of light and potential for noise.

Loss of light would also be a major detrimental factor for the Church, which is a social centre for many groups and individuals and can in no way be described as a commercial building.

We do find the constant demand for development in the neighbourhood is having a detrimental effect on its friendly and communal nature.

In summary, our main points are

- 1 Overdevelopment in this narrow lane and this space-restricted neighbourhood.
- 2 Loss of amenity and open space.
- 3 Negative effect on the neighbouring properties including the Church as detailed above.
- 4 Pressure on parking in already overcrowded streets.
- 5 Loss of light to neighbouring properties and the Church.

2 Russell Place  
Cheltenham  
Gloucestershire  
GL51 9HR

**Comments:** 29th July 2019  
Letter attached.

2 Chapel Lane  
Cheltenham  
Gloucestershire  
GL50 2AR

**Comments:** 24th June 2019  
Letter attached.

**Comments:** 15th July 2019

We object again to the above Application, as per contents of objection comment dated 21/06/2019 [available to view in Documents tab]. We note revised floor plan and elevation drawings. However, points 1-8 of Comment 21st June 2019 still very much apply to this Application, also, additionally, the following is noted:

o Scale, massing and elevation are still the same, removing light and privacy from the Hall and overshadowing, causing unacceptable harm. It will still be severely detrimental to the Character Area of the Suffolk's. The Hall and its past and present use, being witness to this. [ a drawing is in documents tab ].

o Revised "store" now combines both wheelie bin and a bike, it what can only be best described as aspiration, as the space is 0.79 mtrs deep and 1.68 mtrs long at best case, before there is any consideration for door frames, doors or opening thereof. It is too small for a cycle, unless it is dismantled and it is a dubious fit for a bin. For both, it is not possible. So it would seem we are going to have more private property ending up in the public domain, such as PROWs. This Application does not provide any outside amenity space as was the case with the superseded drawings.

o There has been a very high turnover of occupants of Chapel Lane since 2011, so more recent arrivals make assumptions about the road that are not wholly correct. It is "not maintained at the public expense" due to it not being Adopted by the LA, so it is attributed "private" for that purpose only, however it is a Public Highway, not a private one. The Public have used it for likely in far excess of 150 years and it is, additionally, a public street. So any damage caused by construction and resultant harm to persons, private property or utility infrastructure, is very much a public issue and cannot be deferred to some non-existent entity. This expands on the points made in 7a and 7b of our letter 21st June.

**Comments:** 15th July 2019  
Letter attached.

**Comments:** 8th August 2019

It is noted there is a revision to the fenestration of the rear elevation of the proposed house, submitted 20th July. This does not change the fact it is too close to the main house. These are south facing windows. The size has been halved, so less natural light into the rear of the proposed new house. Assuming this latest revision is in some way seeking to mitigate privacy and overlooking harm to the proposed house, why is the Church Hall not given any consideration?

We object again to the above Application because of the severe harm it will cause to the Church Hall due to overlooking, overshadowing and loss of light. The front elevation, height and massing is unchanged.

The NPPF states that sustainable means ensuring that better lives for ourselves does not mean worse lives for future generations. The loss of light into the Hall and loss of privacy will mean worse conditions for the future users of the Hall. The Application compromises the ability of future generations to meet their own needs [section 2 paragraph 7 of NPPF ]. The Hall, being a listed Heritage Asset, is an irreplaceable resource and should be conserved in a manner appropriate to its significance [ section 16 paragraph 184 of NPPF ] , the Application does not address the significance of this asset and its contribution to the quality of life of existing and future generations .

Section 12 paragraph 130 of NPPF states "permission should be refused for development of poor design that does not improve character and quality of an area and how it functions". The design does not preserve the light and privacy of the Hall, will thus denigrate its function and benefit, so being a poor design, contrary to SD4 of the JCS.

Everyone living and working in the JCS area should have access to facilities that meet their everyday needs. Essential Social and Community Infrastructure includes, among other things, Community and Spiritual Centres and children's play and crèche facilities. The proposed house will result in severe diminution of light and privacy to the Hall, compromising the well-being of present and future users of the Hall.

The proposed house will erode the appearance, character and distinctiveness of the Historic Environment due to the overshadowing; meaning the Southern aspect of the Hall will no longer be illuminated directly by the sun, contrary to SD8 of JCS.

The proposal is also contrary to SD14 of JCS for the following reasons:

1. This proposal will create or exacerbate conditions that will adversely impact on human health. The user groups of the Hall are well established and adapted to the positive environment presently in the Hall and do require light, privacy, consideration and respect.
2. The Development will cause unacceptable harm to the local amenity including the amenity of neighbouring occupants of the Hall.

Bethesda Hall  
Chapel Lane  
Cheltenham  
Gloucestershire  
GL50 2AR

**Comments:** 19th July 2019

The church hall which is directly opposite the proposed building is used by many community groups every day of the week.

As a volunteer who helps run a toddler group and a lunch club and welcome club at Bethesda Methodist Church, I am writing to object to the above proposal.

Having discussed it with about 30 adults who regularly attend with their children and our group of 28 senior citizens, there was a very clear deep concern about the impact the proposed building will have on the amount of daylight lost.

Some people have also raised concerns over the lack of privacy that will prevail, as the proposed windows will look directly into the hall.

15 Commercial Street  
Cheltenham  
Gloucestershire  
GL50 2AU

**Comments:** 8th July 2019

Chapel Lane is a quiet unmade road and until recently the houses that fronted on to it had parking in front or at the side. Houses that fronted onto Bethesda Street had rear garages/parking/gardens. Despite the difficulties of parking in this area permission has been granted in the past for the replacement of garages with design inappropriate dwellings and obviously without any parking. This is another such application and reflects the gradual degradation of this unique area of Cheltenham by ugly infilling and vehicular pressure, despite its status as a Conservation Area.

This area is not obviously beautiful like Montpellier, Tivoli or Lansdown but has charm and vibrancy and deserves better treatment than it has received to date, namely the unthinking disregard of the importance of retaining outside space for the houses that have been here for so long. If it is truly a conservation area it should not preclude innovation and development however a sense of space is as worthy of conservation as a beautiful building.

Outdoor spaces also provide useful wildlife corridors necessary for healthy gardens and ultimately healthy town-dwelling people.

Having finally been able to look at the conceptual plans the house appears large in relation to the other dwellings in the lane with three storeys and has a lot of 'front doors'. It seems clear that it will block light for those opposite (it is a very narrow lane) and most particularly into the old hall opposite.

5 Old School Court  
Great Norwood Street  
Cheltenham  
Gloucestershire  
GL50 2BG

**Comments:** 13th June 2019

Whilst I have no objection in principle I am concerned about yet another building being erected without parking facility. The area is already overcrowded with vehicles and to build without this in mind is short-sighted. Perhaps a designated space could be agreed in the Bath Road car park and included in the deeds of the new property?

Bethesda Methodist Church  
Great Norwood Street  
Cheltenham  
Gloucestershire  
GL50 2AP

**Comments:** 15th July 2019

I write to express concerns on behalf of the Church Council and members of Bethesda Church concerning the proposed dwelling and why we would wish to speak at the Planning hearing

The dwelling would be directly opposite across a narrow lane 10 feet wide, south of the main windows of Bethesda Church Hall. These windows provide nearly all the light into the Hall. (There is a small East window at the other end of the Hall but it is overshadowed by an old building and provides little light.) We are greatly concerned that the proposed dwelling would take away much of this light because of its position, height, and close proximity on the south side.

This would seriously affect the amenity, by greatly reducing the light in the hall, for hundreds of users in a typical week.

All 1st and 2nd floor windows of the proposed house will look directly into the hall causing loss of privacy - and raising Child Protection issues.

Bethesda is a busy 'Community' church providing facilities for many groups throughout the week. Since a major rebuild and refurbishment two years ago of parts of this Grade 2 listed building (which was highly commended by the Civic Trust) there has been an increase in daily community activities, and more are planned.

Weekly activities in the hall include:

- Lunch and Activity club for the elderly.
- Toddlers and Mums groups (twice)
- Activity and support group for Dementia sufferers/carers
- Scouts, Guides, Cubs, Brownies, Beavers
- Community Country Dancing
- Community Bread making

- U3A choir
- Cheltenham Community choir
- Morning coffee and conversation
- Social and fellowship gatherings

These activities are not a commercial operation. The church wishes to serve the local community and so the Hall is provided free to most groups or at cost-covering rates. We believe there is no similar hall in the local community of Suffolks/Bath road.

The Hall has enjoyed light from these south facing windows for over 150 years. Generations of church members and local community have enjoyed its activities. Following refurbishment of other parts of the building the hall windows are being prepared and painted this summer. A site visit by the Planning Committee to see the hall would probably best demonstrate the real concerns we have.

Yours faithfully, on behalf of the church,

Lamb Flag Cottage  
3 Chapel Lane  
Cheltenham  
Gloucestershire  
GL50 2AR

**Comments:** 11th July 2019

We have been unable to register online for make a comment on the planning application for 19/01141/FUL 2 Bethesda Street New Dwelling. A receptionist at the council offices told us we could email instead to make a comment. See below:

Neutral:

Whilst we are not opposed to the building of the new dwelling at the back of 2 Bethesda Street, we have a few queries/considerations after looking through the proposed plans.

- Would there be enough space between 3 Chapel Lane and the proposed dwelling for a ladder or side access in case work is needed to be carried out on the side or the side roof of number 3?
- As Chapel Lane is a privately owned road, if there was any damage done to the road due to the proposed works, who would be responsible financially?
- Would the proposed building works affect the foundations to our house (3 Chapel Lane) in any way, and if there was any damage to our property, as above, who would be responsible?
- Unfortunately, the proposed dwelling would block out the light coming in from our side bathroom window on 3 Chapel Lane, which would be a shame as we do get quite a lot of sun through that window.
- With regards to it being nearly attached to 1 Chapel Lane, just wanted to mention that our property (3 Chapel Lane) had a new property built right next to it a few years ago. There is a very small gap (5mm?) between 3 and 3a and we have been told that water collects in the gap and is likely the reason why we had damp problems with the wall in our hallway, which we had to get damp - proofed in 2015. We just wanted to point that out as a consideration as i couldn't see what the gap will be between proposed dwelling and number 1 and wouldn't want this problem to occur for 1 Chapel Lane.

1 Chapel Lane  
Cheltenham  
Gloucestershire  
GL50 2AR

**Comments:** 20th June 2019

Whilst I'm not against the development of the site as it is an eyesore, some revisions to the plans are required or need clarification.

- Sufficient clearance between 1 Chapel Lane and the new build required to allow access to the owned walls, waste pipes, extractor vent and also maintain the detached status of 1 Chapel Lane.
- 2 Bethesda already encroached on the limited outdoor space of 1 Chapel Lane and the proposed new build will exacerbate this further as well as restrict light to the garden and rear of 1 Chapel Lane.
- Access to rear of 1 Chapel lane for building maintenance needs to be maintained.
- Noise reverberation off the new building in the newly formed enclosed space between properties will be a nuisance to all properties in the vicinity.

Other concerns

- Likely further road dilapidation of the unadopted Chapel Lane with building work. The road is already in extremely poor condition.
- Risk to damage the foul sewer underground and new build restricts access of inspection chamber of the sewer.
- Risk of damage to foundations and further damage to walls of 1 Chapel Lane with any excavations and building operations.
- Another period of construction noise, dirt and disruption so soon after the last building work an issue as I often work from home.
- Further strain on parking in the vicinity with additional residents in the area.

1 Great Norwood Street  
Cheltenham  
Gloucestershire  
GL50 2AW

**Comments:** 17th July 2019

Entirely agree with all comments/objection made 24 June and 15 July - additionally there is no safe vehicle access/egress to the intended site either from Gt Norwood St or from Commercial Street where there have been many accidents already.

Wold's Edge,  
Station Road,  
Woodmancote,  
GL52 9HN

**Comments:** 17th July 2019

I write in support of the Church Council and members of Bethesda Church concerning their objection to proposed dwelling.



The new building would be directly opposite across a narrow lane 10 feet wide, south of the main windows of Bethesda Church Hall. These windows provide nearly all the light into the Hall and has always done so. (There is a small East window at the other end of the Hall but it is overshadowed by an old building and provides little light.) As regular users of the hall, we are greatly concerned that the proposed dwelling would take away much of this light because of its position, height, and close proximity on the south side.

This would seriously affect the amenity for us and for other users by greatly reducing the light in the hall. We meet in the afternoon and try not to use electric light more than absolutely necessary for cost and sustainability reasons.

We have met in the hall for many years and greatly appreciate its availability and suitability especially since the recent splendid refurbishment: there is no similar hall in the local community of Suffolks/Bath road.

As the church representative wrote, a site visit by the Planning Committee to see the hall would probably best demonstrate the real concerns we all share.

Yours faithfully, on behalf of the C&G National Trust Centre,

Chairman, Lectures Committee

F.A.O.

Ref 164327.

The Members of the  
Cheltenham Borough Council  
Planning Committee.



2. Russell Place  
Cheltenham, Glos.  
Ctst, 91R.  
18<sup>th</sup> July 2019

1 of 2.

With reference to the planning  
application for a three storey  
building in Chapel Lane, to the rear  
of 2 Bethesda Street, and opposite  
the windows of Bethesda Methodist  
Church Hall, on the South side of the said church.

Dear Sirs/Msdeames.

Please be aware that neither the Church nor the  
Church Hall is a commercial building used for profit.  
It is a vibrant community centre, catering for the  
following activities:-

- Polling Station : National Trust : Teenage uniformed organisations constituting some 125-130 youngsters
- : Two morning Toddlers groups plus parents/careers
- : Country dancing : choirs (some of which meet in the Church)
- : A luncheon club and an afternoon Welcome Club, also for older folk.
- : Coffee Norming's on Saturdays and after Church services
- : The Hall is also used for Wedding Receptions and Funeral wakes and for Birthday celebrations, and for creative age projects for those with dementia.
- : We are all aware, are we not, of the beneficial impact of sunshine, natural light, on our health and well being, whatever our age?
- : The erection of a three storey building opposite the Hall windows across a narrow lane will deprive the Hall of that light, whatever the season and will necessitate the use of artificial light (with Eco implications) which would otherwise be unnecessary. PLEASE DO NOT ALLOW THIS TO RESULT
- : May I Repeat Bethesda Church Hall is part of a vibrant thriving community.

Yours sincerely,

## SUMMARY OF THE ENCLOSED LETTER TO BETHESDA CHURCH HALL


- 1) The Hall, with its large South facing windows, is NOT a commercial enterprise, but a vibrant community centre catering for the needs of many folk of all ages, involving a wide range of activities, as detailed.
- 2) All these benefit from the DAYLIGHT and SOMEWHAT FLOODING into the Hall.
- 3) We are all aware, I know, of the benefit to health and well being of the above.
- 4) The erection of a 2 or 3 storey building on Chapel Lane directly opposite these windows will shut out a lot of this sunlight.
- 5) This is especially so because of its close proximity across a narrow lane.
- 6) Bethesda Hall has had the advantage of this light for over 170 years - if this project goes ahead, Artificial light will be required at times - which is not eco friendly and is not necessary in present circumstances.

F.A.O. Judith Baker. PLANNING SUPPORT SERVICES.

I write as one who has worshipped and been involved in activities at Bethesda since 1991.  
 For 22/23 years I was CARPENTER at Bethesda and was, and still am, aware of all the activities in all parts of the building.  
 Thus, I ask that the plan for building opposite Bethesda Hall be REJECTED

Yours sincerely

19/10/11.

  
2 Chapel Lane  
Cheltenham  
GL50 2AR

Ben Hawkes  
Planning Department  
Cheltenham Borough Council  
PO BOX 12, Municipal Offices  
Promenade  
CHELTENHAM GL50 1PP

Friday, 21 June 2019

Dear Mr Hawkes

**Application Ref: 19/01141/FUL**  
**Erection of new dwelling to the rear of 2 Bethesda Street**

We object to the proposed development as it has no merit and is not required. This is judged on the balance of harm to the character of the area and the harm to amenity of existing land users, which is excessive, compared to the short term financial gain of the Applicant and the one extra Council Tax income to the Local Authority. However, before we set out the detail for this, the following inaccuracies in the Application documents are noted:

- The Design and Access Statement is not fit for purpose as it does not demonstrate that the Amenity of adjoining land users has been considered.
- The houses on the north side of Chapel Lane are no's 2, 4 and 6. For obvious reasons those on the south side are odd numbers 1, 3 and 5. There are no houses known as "Chapel Cottages" in Chapel lane.
- This area, including Bethesda St and Chapel Lane, is not Tivoli, as incorrectly stated on the Applicants drawings. Obviously it is the Suffolk's, as per the character appraisal the Applicant refers to in the D & A. This would explain the Applicants deficiency in understanding the Character of the Suffolk's Conservation Area, suggesting a detachment from the locality.
- The Application Form states no loss of parking. This is not true. It is presently used for parking a vehicle for no 2 Bethesda St, as has been the case for a number of years. So the proposal will result in three additional vehicles in Zone 8.
- The D & A presents a photograph of the Application site with building debris in the space, for a claim of it being "an eyesore". This residue is from the recently completed rear extension to 2 Bethesda Street and related works [17/02482/FUL]. Historically the rear of 2 Bethesda had a small shed, sometimes a similar height red brick wall across the frontage and 2.5 mtrs high fencing along the boundary with the road. The remnants are still clearly visible, with the gate hinges still present on the adjacent buildings and the fence post holes on the boundary. If the rear is an eyesore then that is caused by the owner of the land and not a justification for a new dwelling. If you want enclosure, restore the original fencing or walls.

**We strongly object to the proposed development for the following reasons:**

**1. Over-development.** This is an area of high-density housing, in terraced houses with small back gardens. Garden development of this sort, with no outdoor space, intensifies the crowding. It contravenes the Council's policy to prevent inappropriate development in gardens as stated in SPD "Garden Land and Infill Development in Cheltenham". This is Garden Grabbing.

The land affected currently comprises part of the rear garden for no 2 Bethesda Street and the attached rear parking area. This area also serves as waste bins and recycling storage for more than one dwelling. The Glossary provided with the NPPF states that land in built up areas such as gardens are excluded from the definition of "previously developed land". As such, this is an Application on garden land.

## **2 a: Severe harm to Amenity of neighbouring land and property.**

The Application detracts, cumulatively, from the open character of the area, contrary to BE1 of the local plan, this being the fourth garden grab on the curtilage of Chapel Lane in ten years. The footprint of the Application, including the narrow side path left as access to the rear of the existing property, is 40 m<sup>2</sup>. The rear of 2 Bethesda Street is 75 m<sup>2</sup>. The majority of the garden is taken by this footprint, contrary to BE6 [b], as inadequate amenity space is left with the existing property and no amenity space is provided for the new house.

There is 5 metres distance, at best, left between the existing property and the rear of the proposed dwelling. This is not adequate where glazing obscured or not, is facing one another.

The adjacent houses, 1 and 3, are not "recently constructed", as incorrectly stated in the D & A, they are both circa 1820s. Both will be cramped by the development and one will have at least one window completely blocked as a result.

There are harmful Acoustic implications in the proposal; presently there is wooden fencing on the rear of the site, then an open area. Prior to the recent construction of the rear extension, there was an established garden, along with the wooden fencing and open, low elevation to the north, these combined to absorb noise. A house on this site will box in the remaining tiny rear Amenity space left with the existing house and significantly amplify noise to the immediate neighbours to an unacceptable level.

The Church Hall, directly opposite the Application site, was built and orientated in a Southerly direction to harvest natural light for internal illumination. As such it was placed facing between numbers 1 and 3 and has enjoyed this position for some 150 years. The distance between the proposed front of the new house and the large Church Hall windows on the south facing gable end is just over 3 metres. Regardless of where you take a base measurement plain for purposes of a 25° line to the horizon, say 2 metres off the ground or from the top or bottom of the Church windows, this line is interrupted by the elevation of the proposed dwelling by a significantly large margin. This is unacceptable overshadowing and loss of light. Additionally there is the issue of privacy for those inside the Hall, many of whom are children.

This development causes unacceptable harm to the amenity of adjoining land users and users of Community indoor resource, contrary to CP4 [a] and does not conserve or enhance the best of the built environment; the valuable community amenity the Church Hall provides, contrary CP3 [c].

Further, this proposal will cause unacceptable harm to the enjoyment of neighbouring properties [both internally and externally], and the locality due to its layout, scale and massing and it does not provide for amenity space in the new dwelling. To use that land for a separate dwelling, with minimal outdoor space, would be to cramp the lives of future users of the existing houses and the new one.

## **2 b: Severe harm to Character of the Suffolk's**

Linked to Amenity loss generally, but specifically to Bethesda Church Hall, is Character. The Suffolk's Character Area Appraisal and Management plan states 5.8 [a] "*Bethesda Church acts as a focal point for the Community*".

This Character does not just appear overnight. It evolves from people using space and that space can then become community. People become accustomed to that space and it feels safe for them. It promotes wellbeing. It is naturally light, amongst other things, that is the

attraction that brings the people and they keep returning, friends and future generations. What value do you put on that resource? It is generational, so likely infinite.

Bethesda Church is a grade II listed building and it contributes positively to the locality. For the planning process to treat it as purely "Commercial" and give a lesser weight to loss of amenity as you would to an office block or factory would be wholly at odds with the Development Plan and the NPPF. Clearly the Hall is not a "habitable room" in the sense of a house living room, but it is inhabited by the Community, not a work force, and has been inhabited by the Community past, present and, hopefully the future.

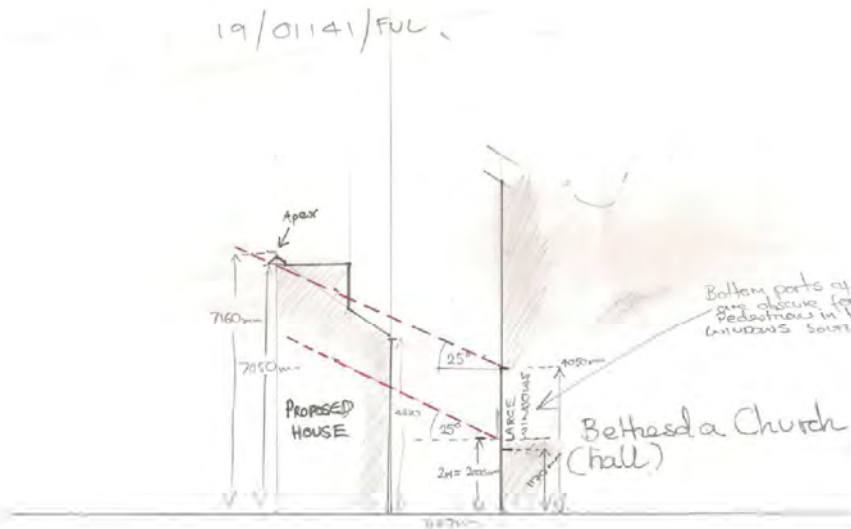
The Hall, being used by the public in daylight hours, adds to the vitality and character of the area. The proposed dwelling will remove amenity to the hall, remove daylight and remove privacy. This will make it a less appealing indoor space and community focal point. It will no longer feel safe. It would be severely detrimental to present and prospective future users of the Hall.

One windfall for an individual and one extra Council tax is the "gain" if permission is given for this new house, whilst on the debit side is the permanent degrading of a community space that will harm the lives and well-being of many thousands of people and harm the character of the area. This far outstrips any perceived "gain" of the proposal.



*South facing Church Hall Windows: Note shadow either side due to no 1 and no 3 and imagine the devastating effect of the overshadowing caused by the new house.*





The proposed house will dramatically overshadow the Church Hall windows as demonstrated by the 25° lines to the horizon.

**3. Impact on Chapel Lane.** This narrow road is ill-suited to further frontage development. The proposed house would add to pedestrian and vehicular traffic on the lane, would overshadow the lane (being on its south side) and would confine the sense of space. The Local Plan (page 34, section 5.33), referring to Back Lanes in the Central Conservation Area, states: "New development in these areas can lead to parking and access problems, and it may be difficult to accommodate an acceptable form of development in such restricted areas without having an adverse impact on the light, privacy and amenity space of adjoining properties. It is often difficult to overcome these requirements owing to the problems of restricted road widths, high densities and the proximity of the rear of large buildings". We submit that these difficulties apply very strongly in this case.



Aerial view circa 2012 showing garden of No 2 Bethesda St and car parking.



Car parking at rear of Application site 2019



*Car parking on Application site 2018*



*Historical remnants of fence posts, brick wall line and gate hinge [on 1 Chapel Lane]*

**4. Demand for vehicle parking space.** The applicant states that there is no loss or gain of parking spaces. This is not true. The presence of a vehicle parked in the rear of number 2 Bethesda Street, with access off Chapel Lane, shows that that a household needs that parking space. The proposed development would dislocate this vehicle, and would generate demand for at least one further vehicle. This is in addition to the parking lost and parking necessity generated by the development behind no 2 Bethesda St.

There is no spare parking space on the surrounding streets, it is over subscribed.

#### **5. Highway Safety and Access**

The residual cumulative impact of more development would be severe because it absolutely and demonstrably results in more private property in public space. This will be the fourth garden development on the side of Chapel Lane in 10 years contributing at least 11 cars to be parked on the road as existing off road parking is lost and demand increases due to new builds with no parking provision. Moreover the other private property, wheelie bins and recycling bins, increasingly ends up in public space, such as PROWS [public rights of way] and alleyways. This increases clutter and obstacles that impede or remove access for the public and increase danger on the roads.

We note that in order to accommodate more “on-street” parking, Zone 8 required several narrow roads, that previously prohibited ALL on-street parking from 8am – 6pm, to have that restriction removed and parking bays installed. The result is that these roads are difficult to navigate as they have, in effect, become single carriageway. The prime example is Bethesda Street itself; the stark reality is that to accommodate new builds to the rear of Bethesda Street the new parking demand has to go on Bethesda Street itself, creating a new Highway safety and access problem.



*Two way traffic attempting to navigate what has become a single carriageway in Bethesda St.*



## 6. Layout, Character and Development patterns.

A two-storey development on this site will have a negative impact on the lane by increasing built frontage, creating a line of terraced housing, disrupting what has historically been single, detached period dwellings, resulting in a severe negative impact on the character of Chapel Lane contrary to CP7.

The development pattern was shaped by the aspect of the Church Hall windows. Historically this has been respected and maintained. We see no good reason why this should change.

### 7a: The increasing tightness of the Lane and the deterioration due to cumulative development.

Chapel Lane is designated by Gloucestershire Highways as a “private road” and a “unclassified highway”. But it is used regularly by frontagers and others for access and passage by foot, cycle and vehicles. The very restricted width of the Lane means that any standing vehicle blocks its full width and prevents passage by others; the police enforce this as an offence under Road Traffic laws.

All parties are reminded that Planning Permission does not give lawful authority to use the roads and highways as construction sites or to block them.

Chapel Lane is a through road linking Commercial Street and Great Norwood Street. Chapel Lane is only between 2910mm and 3175mm in width between property boundaries, and its use is shared between motorised vehicles and pedestrians with no separate path. There are no turning circles or passing places in the road.



*The cement mixer arrives wedging itself in the lane and incarcerating the unfortunate occupiers of no 3 Chapel Lane, meanwhile the drains are blocked by building waste causing flooding.*



*Typical street scene during construction in an ultra-tight urban environment.*



*Typical street scene during construction in an ultra-tight urban environment.*

The application site is so tight that it would be impossible for builder's vehicles to stand off the Lane during construction of the proposed house, with the result that the Lane would be blocked for sustained periods, in breach of the Road Traffic laws.

The houses in Chapel Lane have no alternative access or means to undertake normal day to day activities, and we would thus be heavily affected by any disruption.

It will not be possible to accommodate construction, materials, vehicles and plant on the Application site.

## **7b: DAMAGE**

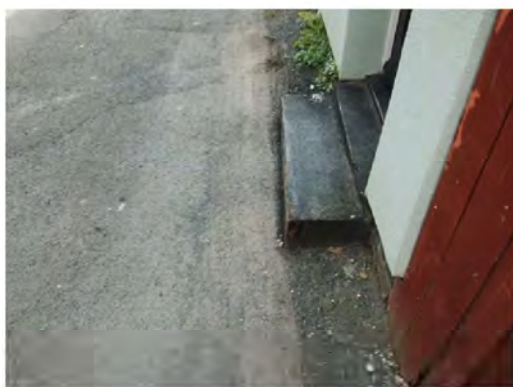
The cumulative damage by repeated construction is well recorded. Damage to private boundary structures, damage to public road surfaces and drainage, all caused by construction vehicles and construction techniques.







*Damage to Church frontage, public infrastructure and private boundary structures.*



*Sink holes from heavy construction vehicles, dismembered step to no 1 Chapel Lane and floods, due to building debris blocking combined foul water/ rainwater drainage system.*

If the officer is minded to permit, planning conditions will be required for the purposes of CP4. Past permissions have emboldened builders to break the law, under the misconception permission makes them above such laws. This then led the Police having to be involved on several occasions. As such, some recent permissions had related conditions applied. Chapel Lane must be kept clear of delivery and construction vehicles and materials are to be kept off the road:

17/02482/FUL rear extension to 2 Bethesda St.  
12/01450/FUL house to rear of 4 Bethesda St.

However this still resulted in further damage to the road and infrastructure. Excavations, piling and construction vehicle activity have caused this.

## **8: Summary**

This Application compromises the ability of future generations to meet their own needs by virtue of a Historical and valuable Community space losing natural illumination and adversely affecting the Character of the area and the site being too small to accommodate another dwelling. The cogent harm to planning interests heavily outweighs the sustainable location of the site and any argument that it would be an efficient use of land.

We strongly urge you to refuse permission to develop this site.

Yours Sincerely

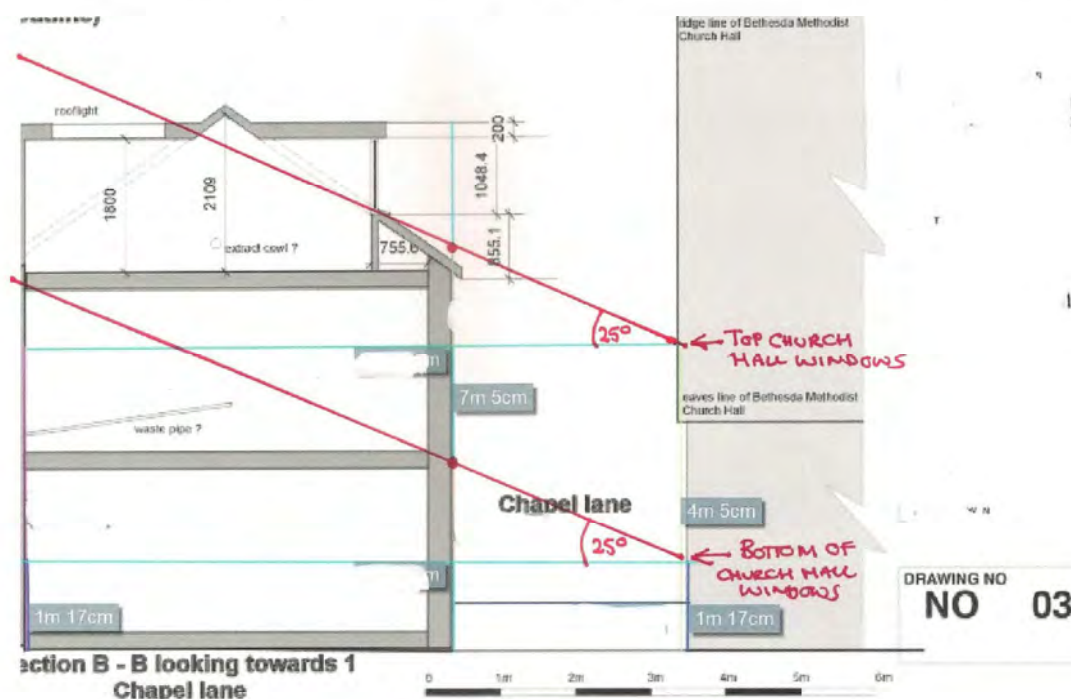
[Redacted signature block]

**Re: 19/01141/FUL revised drawings July 10<sup>th</sup>**

We object again to the above Application, as per contents of objection comment dated 21/06/2019 [available to view in documents tab]. We note revised floor plan and elevation drawings. However, points 1-8 of Comment 21<sup>st</sup> June 2019 still very much apply to this Application also additionally the following is noted:

- Scale, massing and elevation are still the same, removing light and privacy from the Hall and overshadowing it causing unacceptable harm. It will still be severely detrimental to the Character Area of the Suffolk's, the Hall and its past and present use, being witness to this.[Fig A]
- Revised "store" now combines both wheelie bin and a bike, it what can only be best described as aspiration, as the space is 0.79 mtrs deep and 1.68 mtrs long at best case, before there is any consideration for door frames, doors or opening thereof. It is too small for a cycle, unless it is dismantled and it is a dubious fit for a bin. For both, it is not possible. So it would seem we are going to have more private property ending up in the public domain, such as PROWs. This Application does not provide any outside amenity space as was the case with the superseded drawings.
- There has been a very high turnover of occupants of Chapel Lane since 2011, so more recent arrivals make assumptions about the road that are not wholly correct. It is "not maintained at the public expense" due to it not being Adopted by the LA, so it is attributed "private" for that purpose only, however it is a Public Highway, not a private one. The Public have used it for likely in far excess of 150 years and it is, additionally, a public street. So any damage caused by construction and resultant harm to persons, private property or utility infrastructure, is very much a public issue and cannot be deferred to some non-existent entity. This expands on the points made in 7a and 7b of our letter 21<sup>st</sup> June [in doc tabs]

There is a latent inaccuracy in superseded drawings that appear to have migrated to the revised drawings. With that in mind the following [fig A] is produced from the revised elevations plan:



*Scaled from revised elevations 10/7/19.*

**Fig A:** Proposed house on left clearly overshadowing Church Hall windows opposite