

<b>APPLICATION NO:</b> 19/01298/FUL		<b>OFFICER:</b> Miss Claire Donnelly
<b>DATE REGISTERED:</b> 3rd July 2019		<b>DATE OF EXPIRY :</b> 28th August 2019
<b>WARD:</b> Park		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr And Mrs Padmore	
<b>LOCATION:</b>	26 Hatherley Court Road, Cheltenham	
<b>PROPOSAL:</b>	Demolition of rear conservatory and construction of front and rear extensions along with internal alterations and loft conversion.	

## REPRESENTATIONS

Number of contributors	<b>4</b>
Number of objections	<b>4</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

23 Hatherley Court Road  
Cheltenham  
Gloucestershire  
GL51 3AG

**Comments:** 23rd July 2019

The proposed development seems to be excessive in that the plans suggest the property will be virtually doubled in size. To that extent, it will not fit in with the other properties in the road.

28 Hatherley Court Road  
Cheltenham  
Gloucestershire  
GL51 3AG

**Comments:** 28th July 2019

I am writing as a neighbour to object this application on several grounds.

This development forms one of eight modern (1990s) detached properties surrounding Court Gardens and is next to Hatherley Court, a listed building.

In the 'Dean Close and Hatherley Park character appraisal and management plan' supplementary planning document (2008) both Court Gardens and Hatherley Court are singled out as positively contributing to the character and appearance of the character area. Paragraph 5.36 recognises that modern changes and intrusions have to a degree negatively impacted on the area's overall character and appearance and that it is essential that any development should preserve the setting of any adjacent listed buildings, landscape features and preserve or enhance the character of the conservation area. Consequently careful consideration must be given to the historic context, size, scale, height and massing of new development.

Another material consideration is the Residential Alterations and Extensions SPD. Extensions will be required to avoid causing harm to the architectural integrity of the building or group of buildings, be subservient to the existing building, and maintain the privacy of neighbours. Its design should echo that of the original building.

The proposals which have been submitted represent a significant departure from the design consistency which is evident in all the other houses which surround Court Gardens and Hatherley Court. A common design theme of these houses is the single central gable. Proposing two gables results in an inappropriate scale and massing that is incoherent in this important local setting and it fails to enhance or respect the local environs. The provision of a large first floor rear balcony would intrude upon the privacy of neighbours at 27 & 28 Hatherley Court Road as no effort has been made to design this to prevent any loss of privacy, as required by the SPD.

I have no issue with a sympathetically designed extension which is more respectful of the vista and setting of Hatherley Court and Court Gardens, and the privacy of neighbours. To make the development acceptable I would hope the applicant would consider removing the second gable and the first floor balcony. This would address my concerns about design, scale, setting and privacy.

Should these modifications not be acceptable to the applicant I trust that the application will be refused as it is non-compliant with both Supplementary Planning Documents referred to earlier and Local Plan Policy CP7 (development will only be permitted where it complements and respects neighbouring development and the character of the locality and /or landscape. It is also arguably in contravention of Local Plan Policy BE1 which requires that development in a conservation area will only be permitted where it does not detract from the green or open character of the area.

25 Hatherley Court Road  
Cheltenham  
Gloucestershire  
GL51 3AG

**Comments:** 24th July 2019

As the occupiers of 25 Hatherley Court Road we are unable to support the current planning application being made in connection with the above property. The reasons for our objections are as follows:

1 The proposed increase to the size of the house would make it out of proportion to the size of the neighbouring houses. The footprint would be almost half as much again from what it is at the moment.

2 In this conservation area the proposal would significantly and detrimentally reduce the size of the garden.

3 The houses on that side of the road were planned carefully in respect of their relationship to Hatherley Court at the rear of the gardens. The proposal would lead to an unfortunate dominance by 26 Hatherley Court Road, making it stand out awkwardly.

At present the houses are carefully designed following a gentle curve of a "building line" at the rear, but the proposal would build out significantly from this line.

4 The view from the street up the west side of the house would now include a new wall and make it look as if the houses were much closer together. The verandah at the front of the property would be out of keeping with the appearance of the other houses, particularly those to the west, built at the same time.

5 The impact upon the garden of 25 Hatherley Court Road would be highly significant; at present the garden is private and not overlooked by neighbours to the right or left. Under these proposals the new first floor terrace at the back of the property would have an uninterrupted view over the strip of land belonging to Hatherley Court in between no 25 and 26 and into the garden of no. 25, thus removing its privacy.

6 The dining extension corner is very close to the hedge and boundary with Hatherley Court.

For these reasons we feel we have to object to this proposal as it stands.

27 Hatherley Court Road  
Cheltenham  
Gloucestershire  
GL51 3AG

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

23<sup>rd</sup> July 2019

Miss Claire Donnelly  
Planning & Development  
Municipal Offices,  
Promenade,  
Cheltenham  
GL50 9SA



Dear Miss Donnelly

**Re: 19/01298/FUL - 26 Hatherley Court Road Cheltenham Gloucestershire GL51 3AG**

We have been instructed by [REDACTED] neighbouring residents at 27 Hatherley Court Road, Cheltenham, with respect to the current application mentioned above to raise objections to the application on their behalf.

The proposal seeks to significantly extend 26 Hatherley Court Road, an existing large dwelling on a modest plot set within the Central Conservation Area and within the setting of Hatherley Court, a listed building.

The relevant policy documents to which such an application must adhere are:

- **Gloucester, Cheltenham & Tewkesbury Joint Core Strategy (JCS)**
- **Cheltenham Local Plan 2006 (CLP)**
- **Residential Extension & Alterations SPD**

There are four areas in which it is considered that the proposal is inappropriate and contrary to policies laid out in the above documents. These are:

- Size & massing
- Impact upon host dwelling & street scene
- Impact upon built heritage
- Impact upon neighbour amenity

These issues will be dealt with in turn.

### **Size & massing**

The proposal represents a very significant increase of the size of the existing host dwelling. The **Residential Extension & Alterations SPD** sets out 5 basic design principles for residential

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extensions. **Principle 1** states that proposals should maintain the character of the host dwelling. **Principle 2** states that an extension should not dominate or detract from the original building but play a 'supporting role'.

At present No. 26 is a large 4-bedroom home, set in a modest plot. The property is set back from the road and fills the width of the plot, with a large double garage sited in front of the dwelling, close to the road.

The proposal seeks to extend the dwelling significantly, by approximately 3.5 metres over two-storeys across the entire rear eastern elevation of the dwelling to create an extremely large 5-bedroom home. In addition, on the far eastern side of the rear elevation the proposal seeks to extend by an approximate further 2.5m on the ground floor to create a single storey projection and roof terrace.

### **Impact upon host dwelling & street scene**

The proposal is not considered to be subservient to the host dwelling as outlined above. Indeed, the side elevations that will be created will be dominant due to their sheer mass and thus impactful and unattractive. The plans show two large slabs of side elevation, with few features to break up the massing of the sides of the dwelling.

Policy CP7 of the **Cheltenham Local Plan** states that development will only be permitted where it 'complements and respects neighbouring development and the character of the locality'. Policy SD4 of the Joint Core Strategy states that 'new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness'.

As stated above, the proposal sits on a fairly modest plot and the existing dwelling fills the width of the plot. However, when viewed from the street, vistas are present that allow one to see between the application dwelling and the neighbouring No. 27. The creation of the large rear extension will create bulky size extensions which will add a great deal of mass to the dwelling with the effect of closing the gap between No.27 and the application dwelling. Whilst the proposal does not involve a side extension, by proposing such a significant addition to the side elevations of the property, the effect will be to close the gaps between the properties and reduce the vistas towards Hatherley Court.

The very large rear extension, set within such a tight plot would appear as a discordant and unconvincing feature and would add substantial bulk and mass to the existing dwelling, dominating and eroding its original character. The proposal will contribute to the closing of the gap between the two dwellings and as a consequence will be contrary to *Principle 3* of the **Residential Extension & Alterations SPD**, which seek to maintain spaces between buildings. In addition, the proposal would be contrary to SD4 given that it is at odds with the green, open vernacular of the immediate area.



As such, the proposal by reason of its incongruous size and bulk would fail to respect the character, scale and proportions of the existing dwelling and this would result in unacceptable harm to the character and appearance of the existing dwelling and the street scene.

The dwelling already benefits from just a modest garden and the size and scale of the proposed extension would leave the property with an unacceptable quantum of rear amenity space. This loss of green space is contrary to and SD4 of the JCS, which states that new development should 'enhance opportunities for private and external space', and *Policy CP7* of the CLP which states that extensions are required to avoid 'the unacceptable erosion of open space around the existing building. This proposal will lead to a loss of external space to the rear of 26 and the loss of privacy to the rear of 27.

### **Impact upon built heritage**

The proposal site is located within the Central Conservation Area and within the setting of the Grade II listed Hatherley Court. Indeed, the land to the east of the proposal dwelling constitutes a garden as well as a pedestrian entrance associated with Hatherley Court. As such, the dwelling is clearly set well within the locale of the listed building, and any visual impact created by the proposal must be considered in the context of the impact upon built heritage.

Indeed, both the proposal dwelling and neighbouring number 27 formerly formed part of the Hatherley Court estate and this proposal should be viewed in that context – the character of the area is rooted in its historic association with Hatherley Court.

*Policy BE1* of the **Cheltenham Local Plan** states that 'development in a conservation area will only be permitted where it does not detract, individually or cumulatively, from the green or open character, including private gardens, of the area'. *Policy SD4* of the **JCS** sets out that design should have 'appropriate regard to the historic environment'.

The proposal involves the development of a large proportion of the rear garden of No.26. Neighbouring gardens and associated vegetation are part of a natural framing of Hatherley Court, and the rear of No.26 plays a crucial part of the setting of the listed building. Loss of the modest amount of open space will impact negatively upon the setting of Hatherley Court.

The large side elevations that will be created will be unsightly and will detract from the setting of the Conservation Area and the listed building. The side elevations will be so sizeable that they will be impactful from Hatherley Court Road and will impact negatively on the street scene, with associated adverse effects upon the Conservation Area and setting of the listed building.

Furthermore, the modest size of the rear garden of No.26 means that this voluminous proposal will erode much of the green space to the rear of the property between the dwelling and the listed Hatherley Court.

## Impact upon neighbour amenity

The scale of the proposal, involving a large 3.5m two-storey extension will quite plainly have an adverse impact upon the amenity of No.27. The proposal will create a large two-storey elevation along the boundary, extending some 6.5m beyond the nearest rear window of No.27. This will be extremely impactful on the eastern side of the garden of No.27 and will result in a severe sense of overbearing for the residents of the neighbouring property.

*Principle 4* of the **Residential Extension & Alterations SPD** states that residential extensions should maintain the privacy of neighbouring dwellings. In this respect, the rear terrace is a completely unacceptable addition to the proposal which will result in significant overlooking from the terrace at first floor level into the rear garden of No.27, resulting in a stark loss of privacy for the occupants of 27.

The large two-storey side elevation will be overbearing, result in a loss of light to the rear of the dwelling and result in significant overshadowing of the patio and garden of No.27, particularly in the afternoon and evening. Whilst it is accepted that some loss of light and loss of sun would be acceptable, the sheer scale of the proposal means that the impacts upon the rear garden and rear windows of No.27 would be unacceptable.

## Conclusion

In summary, this proposal is much too large for the plot on which it sits and will create unacceptable adverse impacts upon the amenity of No.27. The scheme, by virtue of its size, bulk and design, would fail to respect the character, scale and proportions of the existing dwelling and this would result in unacceptable harm to the character and appearance of the existing dwelling and the setting of the Conservation Area and the listed Hatherley Court.

As such we respectfully request that due consideration be given to the issues raised within this objection letter.

Yours sincerely,



**Sally Tagg MRTPI**  
**Managing Director**

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