

<b>APPLICATION NO: 20/01004/FUL</b>		<b>OFFICER: Miss Claire Donnelly</b>
<b>DATE REGISTERED:</b> 25th June 2020		<b>DATE OF EXPIRY :</b> 20th August 2020
<b>WARD:</b> Park		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Alton Axton	
<b>LOCATION:</b>	Mendip, Tryes Road, Cheltenham	
<b>PROPOSAL:</b>	Proposed alterations and extension to the existing two storey side extension, first floor and single storey rear extensions and a new front garden wall	

### REPRESENTATIONS

Number of contributors	<b>2</b>
Number of objections	<b>2</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

30 Painswick Road  
Cheltenham  
Gloucestershire  
GL50 2HA

**Comments:** 16th July 2020

We have examined the new scheme. We recognise that there have been some changes that will marginally reduce the impact of the new build on the immediate neighbours but we do not consider that this is sufficient to justify our withdrawing our previous objections.

We also consider that the resulting design solution is unlikely to be aesthetically pleasing or suitable as an addition in a conservation area.

Tintagel  
11 Tryes Road  
Cheltenham  
Gloucestershire  
GL50 2HB

**Comments:** 23rd July 2020

I wish to object to the new application to build a two storey extension on the property which is attached to our property at 11 Tryes Road.

I would ask that permission be refused for the following reasons:

- Loss of light/overshadowing of our dining room and patio
- Overlooking into our garden and loss of privacy
- Overlooking into gardens/houses on Painswick Road
- Inappropriate design for an extension in a conservation area.

This is the fourth attempt by the applicants to impose a large two floor rear extension on this modest two floor semi detached property. Although it is smaller than the previous proposals, it is still unacceptable for the same reasons and only reduces its overpowering impact to a minimal extent. In addition, because it has been chopped about so badly to attempt to meet the planners' objections, the current iteration would result in a design which is completely unacceptable in a conservation area.

#### Loss of Light/overshadowing

At number 11, the original living room remains and the window is set back with a patio outside. Currently number 13 has a large ground floor extension which adjoins our property and extends beyond our patio. The single floor extension does not impact significantly on the light to either the dining room or patio. The two floor rear extension currently proposed would result in substantial loss of light/overshadowing.

The planners rely on the 45 degree light tests, as set out in the Council's SPG to assess whether the loss of light caused by an extension on neighbouring property is acceptable. This proposed extension either fails or just about satisfies the 45 degree test. I am concerned that the planners are not using the 45 degree test as a broad rule of thumb (as required by the supporting documentation), but are following it slavishly.

The guide on which the planners rely (Paul Littlefair Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice) states:

'Like most rules of thumb, this one needs to be interpreted flexibly.....Special care needs to be taken in cases where an extension already exists on the other side of the window to avoid a 'tunnel effect'.

That is the case here. The kitchen extension on the other side would create such an effect.

#### Overlooking our garden and gardens/houses on Painswick Road

The large window on the rear of the proposed extension would directly overlook the garden to number 11. The gardens run in parallel with each other in a straight line. A two floor rear extension at number 13 would directly overlook our garden and intrude into our privacy.

Also, I believe the windows in the proposed extensions will overlook the gardens and rear windows of houses in Painswick Road, unreasonably interfering with their amenity.

#### Inappropriate design for our conservation area

The consequences of repeated attempts to reduce the size of the extension in an attempt to satisfy the planners has resulted in a proposal which looks strange. The smaller upper floor is smaller in all dimensions than the larger lower floor. The resulting small box sitting on a larger box would neither satisfy the Council's design guide for a conservation area nor the statutory requirement to preserve or enhance.

The extension would be clearly visible from the street to anyone going from Painswick Road into Tryes Road.

I am grateful that the Planning Committee has agreed to consider the application itself. However, to fully appreciate the impact on 11 Tryes Road, it would be necessary for the Committee members to visit the site. Indeed, the officers intended to grant permission

for an earlier revision until we insisted that they visit our property. Having done so, they indicated to the applicant that the application could not be supported. We do not believe that this fourth revision resolves the issue. The site visit was carried out by the planning officer without the need to enter our property, accessing the patio by the side entrance from the road. This could be done by Members too without compromising social distancing.

For the above reasons, I would invite the Committee to refuse the application.