

APPLICATION NO: 21/00505/COU	OFFICER: Mr Daniel O Neill
DATE REGISTERED: 4th March 2021	DATE OF EXPIRY : 29th April 2021
WARD: Warden Hill	PARISH:
APPLICANT:	Mr Adam Russell
LOCATION:	1 Loweswater Road Cheltenham Gloucestershire
PROPOSAL:	Change of Use to land at the rear to extend garden land

REPRESENTATIONS

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

Jalna
13 Winton Road
Hatherley
Cheltenham
Gloucestershire
GL51 3AX

Comments: 26th March 2021

I wish to object to this proposal, both in principle and in detail.

My address is 13 Winton Road and the site proposed for development is immediately in front of my house adjoining the western boundary.

It is currently, and has been for many years, an open grassy space with no formal planting (though I understand that there used to be a mature tree which has been removed without consent). While maintenance of this grassy area should be improved, any structures, including fences, will significantly affect the planned amenity of the area especially as a place for children safely to play.

Any development will impinge on my property, especially if there is a boundary or any structure erected or any subsequent planting with a height greater than 2 metres.

The owner of the nearby house has made no evident attempt to contact me to discuss this proposal. In particular his stated intention is to take access to the site from Winton Road will involve crossing part of my land. This cavalier assumption is completely unacceptable.

1A Winton Road
Hatherley
Cheltenham
Gloucestershire
GL51 3AY

Comments: 28th March 2021

RE planning application: Change of use of land at the rear to extend garden land at 1 Loweswater Road application number 21/00505/COU

We would like to object to the change of use of this land.

Further to the above change of use there was a previous application in November of last year to build: first a two-story property and latterly a single-story property with single parking space on this site see planning application: 20/01833/FUL. This was subsequently withdrawn by the applicants.

This application for a single parking space and "summer house" on this land raises the concern that the change of use applied for in this application is a prelude to obtaining planning permission for Full development of this site in the future.

Our objections are the same as to the previous planning application as follows:

Change of use of the land

It was suggested in the application that this land was redundant "waste land" - but this is not the case.

The small green areas were originally designed as part of the road lay out for the enjoyment of the residents and to create a visual buffer between the houses of Loweswater and Winton road.

From the building of the estate in the 1971, until very recently, it contained a large feature tree and was maintained by the local council (as all the small green areas of the road and estate are still currently) and a well-maintained hedge surrounding the area (please see google maps image: <https://www.google.co.uk/maps/@51.8886836,-2.1020676,3a,75y,131.77h,85.7t/data=!3m6!1e1!3m4!1sX-VEB-I-UoMh1PtShujrQA!2e0!7i13312!8i6656>). We were under the impression this communal land was council owned (as it was regularly maintained as part of the council maintenance of the local green spaces of Fleckers Drive and the other green space on Winton Road estate) and as such is a local amenity to be enjoyed by the residents. It was designed as green space as part of the Winton Road estate. We were very shocked that this land was able to be sold , the first we knew of this was when the large mature tree was removed along with the hedgerows.

This site is also a natural haven for wildlife and one of the few on our estate area. It provides refuge to a number of small animals and birds which would be lost if the land was tarmacked over for a parking space and a summer house built.

Visual impact on the surrounding houses and Road

By developing this land and allowing parking on there will drastically encroach towards the property at number 1 Winton road leaving it very little visual space and a view of a parked car facing their property living room. It would give an overcrowded aesthetic to Winton road and reduce the visual green space and creating a feeling of over development. This change of use of this land impacts the visual character of the original road design and area. The deeds associated with our houses and estate, state that the frontages, onto which this land faces should be maintained to a reasonable level. This land has not been maintained to the level required.

Parking space and safety

Converting the land to a parking space will change the aspect when looking down the road making it feel much more enclosed. With the possibility of a commercial van being parked on the land it would create an unpleasing view from Winton road. The stepping back of this space from the road and the dropped curb is also of concern for the safety of pedestrians using the path abutting the land. There is a very popular cut through from Winton road to Loweswater road and this path is used to access it, often by children heading to school. Vehicles from the proposed space would be able to reverse without full site of pedestrians - this creates a safety issue. It would also be a loss of a space for the on-road parking currently used by visitors to the Winton road area.

Street lighting and telephone pole

The application seems to be missing the current amenity of the lamppost street lighting that is on the land. As communal land this was designed to provide street lighting to the car parking area and rear of the properties on that road. The removal of this would create inadequate lighting and unsafe environment for people using this popular path to cut through to Loweswater Road, not to mention the safety of the garages from petty crime. The telephone pole which provides telephone lines into a large number of resident properties on Winton road is also not covered in this change of use. Further there is not a suitable site or positioning to move it to where it wouldn't impact Winton Roads layout or residents.

Scale and size of fence and summer house

The change of use also mentions a "summer house" and "fencing" but fails to mention the height of either of these structures or the sizes involved. The frontages of Winton road and Loweswater road are stated in the plans to be kept as grass areas with open frontages to maintain the open grass space. This change of use would seriously affect this aesthetic of the area, especially if high structures or fencing is placed on the land that exceed the current planning height of fences on frontages of Winton Road at 1m. Any height changes would directly and severely affect the bungalow in the corner of Winton Road which faces the land as it is a low-lying property.

5 Loweswater Road
Cheltenham
Gloucestershire
GL51 3AZ

Comments: 28th March 2021

We wish to object to this proposal for the following reasons.

Open space

The site until recently was maintained by the council and contained a mature tree and shrubs. It was designed into the estate to provide visual amenity and an open view, which it achieved. It was not waste land as was stated in the proposal. Only recently has it been cleared and allowed to grow scrubby.

Street light

No mention is made in the proposal of the streetlight that is located on the land and provides lighting to the rear car parking area of Loweswater Road. Removing this would

make for an unsafe environment for pedestrians and for residents parking in front of their garages.

3 Loweswater Road
Cheltenham
Gloucestershire
GL51 3AZ

Comments: 22nd March 2021

I write to object to this proposal, the estate was constructed 50 years ago and at that time the developer and local authority planners agreed what houses were to be built, what roads and parking spaces to be built, what spaces were going to be left open and what landscapes were to be planted.

Over this period of 50 years this site has been green open space with a historic hedge line running around its perimeter and a mature sycamore tree being the predominate feature, this site was maintained regularly by the Local Authority since this time.

This green open space provides a visual amenity to residents and visitors alike, it breaks up straight hard lines caused by brick walls and fences.

The new owner has removed the hedge in full along with the mature sycamore tree and is now claiming that the site is waste land to which it is not. The degradation of the site was done to remove any objection prior to submitting the previous planning application 20/01833/FUL to build on this site which has been withdrawn.

Clearing of the site was done without a full consultation with the Local Authority and local residents.

The National Planning Policy Framework (NPPF) section 8 Promoting healthy and safe communities' clause 97 states: -

97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

It is clear to see in the NPPF guidance on existing open spaces on estates that are already constructed shall not be built on.

These open spaces were designed into the estate to break up the urban sprawl and provide visual amenity with views and vistas that have now matured providing a parkland feel that the estate designers and local planners sought to achieve.

If we start to remove these open spaces the NPPF framework then ceases to be worth the paper it is printed on.

Biodiversity

Open spaces along with breaking up urban sprawl provide areas that are used by birds and small mammals, the local authority has sought to provide wildlife corridors, promote biodiversity and geodiversity, within its open spaces.

Hedges are a lifeline for wildlife, providing food and habitat, including for many of the birds within the Farmland Bird Index as well as for priority mammal species in the UK's Biodiversity Action Plan.

They also help with pollination and pest control, reduce flood risk, conserve soil and capture and store carbon, to the extent that the UK's Committee on Climate Change suggested in a 2019 report that the hedgerow network should be extended by 40% as part of the UK's 2050 net zero emissions target.

Natural England went further, recently recommending increasing England's hedge network by 60% to 882,000km (enough to circle the Earth roughly 22 times) to support thriving biodiversity.

This area is used by the Hazel dormouse and slow worms, both are protected under the Wildlife and Countryside Act 1981, as the site has been left relatively undisturbed, they have found a refuge place here.

These creatures move between the allotments, hedgerow along Loweswater road and these open spaces at various times of the year to feed on the various seasonal resources that these sites provide.

In early spring I have seen the Hazel dormouse climb the sycamore tree to feed on the early blossom and in autumn they make their way through my garden to this site, probably to hibernate over winter.

Having allowed birds and mammals to use this site we are now going to go against the local Authority's own policies to promote biodiversity.

UK statutory instruments of 1997: 1160 governs the Local Planning Authorities responsibilities with regards to protecting these sites.