

APPLICATION NO: 21/02385/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 4th November 2021		DATE OF EXPIRY : 30th December 2021	
WARD: Park		PARISH:	
APPLICANT:	Mr Graham Rix		
LOCATION:	76 Andover Road, Cheltenham, Gloucestershire		
PROPOSAL:	To demolish the unauthorised 1970s garage at the rear of the plot and replace with a double garage/annexe.		

REPRESENTATIONS

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

72 Andover Road
Cheltenham
Gloucestershire
GL50 2TW

Comments: 26th November 2021

I respectfully ask that you refuse this application as the documents online appear to be contradictory, confusing, personal, inaccurate and make no mention of demolishing historic listed structures from 1835.

Title

Besides the fact that the title makes no mention of the demolition of a listed historic garden wall : the 'unauthorised' 1970's garage is irrelevant as after a certain length of time its deemed to be 'authorised'.

The garage has been removed.

Application

On the application it should on section 6, say yes to demolition of part of a listed building as the curtilage and terrace are part of the listing. Also section 8 is incorrect as it does include alterations to a listed building as the applicant intends to redraw the boundary between 76 and 74 and change the height and width of the boundary wall. Section 16 makes no mention of a protected old apple tree adjacent to the wall which will be negatively affected by this development. Section 27 states the applicant sought advice, yet does not name the officer and makes the statement "the amendments are acceptable to the LPA ".

IF THIS IS TRUE WHAT IS THE PURPOSE OF CONSULTATION AS THE AGREEMENT HAS BEEN MADE PRIOR TO NEIGHBOURS BEING INFORMED?

Design and Access Statement

I most strongly object to paragraph 4 where the applicant is commenting on what a neighbour may or may not do.

Image 1 comments are untrue as it is possible to integrate this wall into a new build, neither is the wall in any form of jeopardy.

Page 5, 6 and 7 are all about me and my parents' home and the statements are untrue, misleading and unprofessional and appear to show the applicant will build inside a garden wall when there is no intention to do so.

The applicant also makes reference to an objection from 74 Andover Road which contains statements that are highly inappropriate for a design and access statement, which is a public portal.

Design and access statements are usually short, factual and not personal.

I am not opposed to tidying up Tivoli Walk with 2 beach house style coach houses, but the poor and confusing written quality of this application is of concern. Furthermore, the unnecessary removal of a historic listed garden wall seems to be an attack on its history, value and worth. There is an easy solution where the applicant could build inside the 6 foot garden wall, mirroring the rest of Tivoli and adjacent owners.

74 Andover Road
Cheltenham
Gloucestershire
GL50 2TW

Comments: 9th November 2021

Comment Regarding Trees

We request referral of this application to the tree officer for comment. (if this is also relevant for the LBC application, please duplicate across both applications.)

Given that a tree officer has previously visited the site and confirmed the presence and location of the trees, we do not think it unreasonable to request tree plans to be submitted for both the apple tree in the garden at 74 and the birch tree on site.

As a point of information, the apple tree probably has a root protection area with a radius in the region of 4.5m. We are happy for the tree officer, or other arboricultural(?) expert to confirm.

We look forward to more information on the proposed works, including the actual depth and location of the drainage channels and the proximity of those works to the apple tree, and we will comment on the specifics when we know more.

Other comments will be forthcoming when we have had time to read and consider.

Comments: 12th November 2021

Comments regarding Application Form

We have two comments/questions today.

1. Description of the Proposal (heading of the application and also box 4. on the form)

The applicant states,

"To demolish the unauthorised 1970s garage at the rear of the plot and replace with with a double garage/annexe."

The garage has already been demolished, and the applicant already has permission for the garage replacement, and so, we wonder, what is this application for?

Could the applicant please clarify?

Taking all the documents together, we think that any of the following could be reasonable interpretations from the information supplied.

That the applicant:

A) Has no intention of touching the wall (it is not mentioned on the form anywhere).

OR

B) Proposes to demolish and rebuild the wall on its current line, as could be inferred by his references to 72 Andover Road and the application for 4/5 Lypiatt Terrace, which remain free-standing garden walls and neither of which are structurally load-bearing. (And then proceed with his plans to cantilever the upper storey in the space above the wall as per his current permissions).

OR

C) Demolish the wall completely, and replace it with a new, load-bearing cavity wall.

OR

D) Something else.

It would really help us know what to do next and how to comment if someone could respond please on those choices.

We're also a bit worried that a lack of coherence between documents could lead to another situation, like the one the applicant describes in his supporting document, where there is a difference of opinion between himself and the LPA about what permissions have been given. Is there a risk of this? Perhaps the legal officer or planning enforcement could be asked for a view on this question please?

Thanks.

2. Trees and Hedges (box 16. on the form)

It's good to see that the protected veteran apple tree in our garden is included on one of the drawings, but we can also see that the applicant neglected to tick the box referring to trees on the adjacent site.

Could someone please correct this oversight?

It also looks as if tree plans should be included WITH the application. How are we able to comment on them? Many thanks.

3. Other parts of the form

We have more comments on other parts of the form and also on the supporting docs although we have not been able to fully digest those yet. We will provide comments as we have them but we think comment 1. above is a priority so that we know how to respond.

Comments: 3rd December 2021
Letter attached.

72 Andover Road
Cheltenham
Gloucestershire
GL50 2TW

Comments: 3rd December 2021

Letter attached.

1B1 Andover Road
Cheltenham
Glos
GL40 2TW

Comments: 26th November 2021

Due to working from home I have been very aware of the building works at 76 and 78 Andover Road. I was surprised to read the current applications which make no mention of the demolition of the garden walls. Furthermore, I cannot find a heritage assessment of these listed historic walls in the application.

The garden wall between 76/78 has already been removed without the appropriate permissions.

My understanding from the drawings is that this current application states the applicant will

1. demolish a section of garden wall even though it is not owned solely by the applicant and is not unsafe.
2. redraw the boundaries and 'straighten them' between 74 and 76.
3. build completely over a party wall with guttering's on someone else's land. Thus, producing a sheer side of a building, where once there was a handsome wall.

This new elevation will have no reference to the history, original brickwork (which I understand is in a rare formation), and not even copy what is being done between 72/74 and 78/80 Andover Road.

Thus I am asking officers to refuse the current applications.

I cannot begin to describe the upset and time this has taken, no doubt to yourselves as well.

As an American who loves British history I am aghast at what may happen and cannot understand how measures are not in place to protect listed properties and to encourage sympathetic development.

Comments: 26th November 2021

Letter attached.