

APPLICATION NO: 21/02785/FUL		OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 22nd December 2021		DATE OF EXPIRY : 16th February 2022
WARD: Prestbury		PARISH: PREST
APPLICANT:	Duncan Rawlings	
LOCATION:	23C Finchcroft Lane Cheltenham Gloucestershire	
PROPOSAL:	Demolition of existing single storey dwelling and erection of new two storey dwelling	

REPRESENTATIONS

Number of contributors	11
Number of objections	11
Number of representations	0
Number of supporting	0

27 Finchcroft Court
Cheltenham
Gloucestershire
GL52 5BE

Comments: 12th January 2022

A two storey development would affect the privacy of residents in Finchcroft Court flats as well as nearby houses, and have an adverse effect on our enjoyment of outdoor space and natural light. It would overlook the communal garden area of Finchcroft Court, and would also 'look' directly into many of the flats. The garden area is currently enjoyed by the residents of all 36 flats, and outside space is vitally important for everyone's mental wellbeing.

As the plot is of a reasonable size, could not the expansion be built on one level only?

33 Finchcroft Court
Cheltenham
Gloucestershire
GL52 5BE

Comments: 11th January 2022

I am contacting you with regard to the planning application for 23C Finchcroft Lane. I believe that this overdevelopment of the existing property would have a detrimental impact on many other properties surrounding it.

It would affect the privacy of residents in Finchcroft Court flats as well as nearby houses, and have an adverse effect on our enjoyment of outdoor spaces and natural light. A large number of residents would be affected by this development which does not appear to suit the location and would have an unpleasant visual impact.

35 Finchcroft Court
Cheltenham
Gloucestershire
GL52 5BE

Comments: 8th January 2022

We strongly object to the planning application for a two storey development for the following reasons:

A two storey development would look into our flat and directly into our bedroom. It would also look into the bedrooms of flats 34 and 36.

A two storey development would overlook the communal garden area of Finchcroft Court. This area is currently enjoyed by the residents of all 36 flats. There is seating to enjoy the outdoors which is important when you live in a flat. The gardeners have recently planted a magnolia tree to replace the diseased walnut tree that was removed and enhanced the whole area with shrubs and bushes. We hold our summer social events there.

We understand owners need to improve properties for enjoyment and value. We would not object to a single storey improvement of this bungalow.

21 Finchcroft Lane
Cheltenham
Gloucestershire
GL52 5BD

Comments: 28th December 2021

We originally objected against the bungalow at the address mentioned being developed to a two storey house.

I am surprised to now see that there is a new application to demolish the existing single storey dwelling at 23C Finchcroft Lane and erection of new two storey dwelling.....Why? Because I have been sent no notification of this in writing to make me aware of this application so that I could voice my concerns and object to this application. Our house shares the same boundaries, so I would of thought that legal we should have been notified?

Our objection to this application remains the same as previously submitted, as none of our objections have been listened too.

Currently inside our home we can just see the top of the roof of the bungalow, if this extensive extension is allowed we will lose privacy inside our home. We will also lose approx privacy in 2/3rds of our garden, and it is especially intrusive being so close to our boundaries.

Overall I do not think this development has fully considered its impact to its immediate and surrounding neighbours...which was highlighted in the previous applications with so many objections.

I strongly urge for you to listen visit the area (again) and talk to the residence that it will affect.

14 Gallops Lane
Cheltenham
Gloucestershire
GL52 5SD

Comments: 11th January 2022

We are one of the nearest neighbours to 23c Finchcroft Lane and oppose the proposed demolition of the existing bungalow and the construction of a new two storey dwelling. The existing bungalow was built on gardens in between a row of established properties on Finchcroft Lane and Gallops Lane. Planning was initially granted on the basis that it was a single storey and would have minimal impact on the neighbouring properties. The proposed development would have a negative impact on neighbours at all angles and would cause significant disturbance, annoyance and upset due to the removal of light, amenity and privacy that is currently enjoyed due to the way that the current bungalow sits unobtrusively amongst its neighbours. It is worth noting that there is a restrictive covenant attached to the official Title of 23c pertaining to this. The properties on Finchcroft Lane and Gallops Lane are relatively close to each other, but due to the way they have been constructed, all parties currently enjoy privacy and light.

The proposed plans to replace the single storey dwelling to a two storey dwelling would change the visual amenity for all neighbouring properties.

The rear aspect of our property and garden view directly at the east boundary of 23c which is lined with conifers. The current visual impact of 23c for us is such that we can only see the tops of the conifers and the TV aerial of the bungalow. As a result, this allows us to enjoy sunlight into our relatively small garden from the westerly aspect beyond the bungalow for the majority of the day until the sun sets. The current height of the boundary means that usually from early afternoon the shade moves its way east towards our house. The impact of the proposed extension would mean that we lose sunlight completely in a large part of our garden and our current visual amenity would be negatively impacted due to the height of the additional storey. The windows situated within the plans on the East elevation would also look directly into our kitchen / dining room, bedroom and bathroom at the rear of our property as well as our garden which is currently not overlooked at all.

This will not only have a negative impact our property, but all neighbouring properties. The proposed scheme is simply too high and too large based on the close proximity of the surrounding properties. The plot on which 23c is built is of a generous size and there is ample space to add a sympathetic, single storey extension to achieve the same standard of living without impacting on the surrounding properties.

12 Gallops Lane
Cheltenham
Gloucestershire
GL52 5SD

Comments: 10th January 2022

Photo attached

Comments: 31st December 2021

We are strongly opposed to the proposed extension and external alterations to 23c Finchcroft Lane on the following grounds.

Firstly there is a covenant on the land/building regarding changing the building. This is another reason why a small development regarding the garage at 23C was rejected. Please don't say the garage is not included in this development - that's a silly argument when the rest of the house is being extended upwards.

Amenity - the meaning of the word is something that is intended to make life more pleasant or comfortable for people. This is obviously not the case for probably 8 to 10 neighbours that are in view of this proposed development.

We obviously can't speak for them, but we will personally be hugely impacted by this build.

When we originally bought our property, we had concerns about any development of the bungalow as it was so close to us, but we were categorically told that this could not happen as planning only allowed a bungalow to be built in the first place as it was being built between two existing and established rows of houses. Anything more would have impacted the surrounding properties.

If we knew this would change in the future, we wouldn't have bought the property.

Visual impact/privacy - as it stands our family enjoy a little bit of privacy and sunshine into parts of our small garden. Every year we do need to cut their (23c Finchcroft Lane) trees lower to allow the sunshine into our garden. However, even if the trees do grow higher, they give a natural, green and environmental feel and still allow the sunlight to filter through.

But this current view will be replaced by a solid, unnatural structure that will look totally out of place, with two Velux windows and two upper balcony style patio windows in bedroom 2 and 3 that will overlook our property and private space and a final structure will be something that is much higher than the tops of the existing trees.

Our natural sunlight will turn into complete shade and our privacy will be totally gone and this is totally unacceptable to our young family.

I have photos of our garden and its shade from the trees at 4pm at the start of August. I can send a photo in via email .

Our visual impact will be massively altered and the view from every window on the back of our existing building will be totally overpowered by an obtrusive structure, and we

again stress this was why a bungalow was only granted originally at 23c Finchcroft Lane and why a planning application has been refused.

For this bungalow to be granted development rights and increase in height of nearly 2m would impact so many of its surrounding neighbours and will affect each and every one in different ways.

I am also concerned with the demolition of the existing property. We have a young family and dog who spend most of their spare time in the garden. This demolition will be practically happening in our space. The dust and noise from this demolition and clearance, plus the build itself, will impact us hugely and will stop us from using our own space.

Coming from a building and construction background of 22 years, we would welcome a senior representative from the planning office to visit our property (something that RRA Architects Ltd have not done) to actually see for themselves the impact this will have on our property and the surrounding area.

It would be practical to have a different case officer.

16 Gallops Lane
Cheltenham
Gloucestershire
GL52 5SD

Comments: 8th January 2022

We object to the proposal.

The existing bungalow currently sits comfortably surrounded by numerous neighbours and is largely hidden by a row of well established conifers.

The proposed building of a two storey house would have a negative impact on all of its neighbours from every angle.

We have enjoyed 16 years of privacy in our garden at the rear of our property. The increase in height and additional windows, in particular the bedroom window that will be in the south facing elevation above their existing conservatory, would mean a loss of privacy in our small garden and conservatory/dining room as anyone standing looking out of the window will be able to see clearly into our property, this is unacceptable to us!

The additional height will also reduce the amount of afternoon and evening light that we receive in our small garden. It would also mean we lose the views we currently enjoy from the back of our property, this affects our amenity!

The bungalow is very close to our boundary (we are probably it's closest neighbour). When the bungalow was occupied we could frequently hear very clearly conversations and general household noises coming from the occupants whilst we were in our garden or sat in our conservatory. An increase in bedrooms from 3 to 4 would imply more occupants and therefore more noise.

The measurements are also inaccurate and less than the 10 meters specified they are in fact nearer 6 meters. The diagrams showing sight lines are also inaccurate.

We also understand from recent research that the original land was only granted permission to build a bungalow so as not to be intrusive or an annoyance to its surrounding neighbours, this proposal clearly contravenes this.

This proposal would result in a very intrusive and overbearing building that would dominate and block light into the back of our property and our other neighbours. I attach a photo (sent via email to Ms Pickernell) taken from sitting in our conservatory that shows the proximity of the bungalow to our property, it also show the south facing elevation where the proposed bedroom window will be. You can also see a TV aerial that is approximately the height of the new building and the conifer trees.

I hope that more than one planning officer will come and view the site from the point of view from its surrounding neighbours and bring a tape measure and check measurements rather than blindly accepting the inaccurately drawn plans.

Walnut House
25 Finchcroft Lane
Cheltenham
Gloucestershire
GL52 5BG

Comments: 11th January 2022

We strongly object to the proposed erection of a new two storey dwelling to 23C Finchcroft Lane on the grounds of:

1. Privacy - overlooking neighbour's property
2. Visual impact & aspect
3. Planning Application Irregularity

1. Privacy overlooking neighbour's property

The bungalow is currently located behind No 23 Finchcroft Lane and although surrounded by at least ten other neighbours, the property is well hidden and unobtrusive. It currently does not overlook 25 Finchcroft Lane.

From the North-South elevation drawing of 23c Finchcroft Lane, the proposed first floor south facing windows will definitely and absolutely overlook the rear garden and conservatory of the neighbouring property at 25 Finchcroft Lane, therefore impacting on our privacy. Also, there will be direct line of sight from the proposed first floor south facing larger window into the rear facing bedroom window of 25 Finchcroft lane, again impacting privacy.

The proposal is considered to result in a loss of privacy to ourselves.

2. Visual impact & aspect

Based on the submitted drawings of the proposed construction of a two story building, it will result in a significant negative visual impact on the northerly aspect & view from the neighbouring property of 25 Finchcroft Lane.

A close inspection of the 'Proposed block plan' indicates the footprint of 23C @ 1,465 sq mtrs (excluding garage), appears to be larger than any of the surrounding ten or more

neighbouring properties. As a present bungalow, the footprint impact is much less significant, however for a large two story dwelling of this footprint size, it becomes a much more significant negative visual impact. I would be more inclined to support a planning proposal that redesigned or extended the bungalow rather than the construction of a much taller property.

3. Planning Application Irregularity

There is a discrepancy in 23C Finchcroft Lane 'Application for Planning Permission' dated 17 December 2021. Under paragraph 6 (Existing Use) quote 'Is the site currently vacant - NO' unquote

In actual fact, as a direct neighbour, I can confirm that no one has been living at the property since late November 2021, after the tenant had moved out of the dwelling earlier that month.

I note that in para 26 'Declaration', the applicant signed to confirm 'any facts are true and accurate', which is clearly not the case.

Summary

I hope the planning committee will take into consideration that at least ten neighbours will have to endure the impacts of a long construction period followed by the high visual negative impact for a very long time, while the applicant (who hasn't lived there for more than 4 years) in all likelihood wont be living in the property again, but selling it for profit. If that is the case, then there is only one winner.

23 Finchcroft Lane
Cheltenham
Gloucestershire
GL52 5BD

Comments: 8th January 2022

We are strongly opposed to the proposed demolition and new two storey house build at 23C Finchcroft Lane on the following grounds:

1. Significant overlooking / loss of privacy - due to both the increased height from existing bungalow and the proposed elevation and extension of footprint by replacing the conservatory, there would be considerable loss of privacy for us in our garden and in all rooms at the back of the house, particularly bedrooms. The proposed master bedroom roof lights would look directly into our bedroom windows.

2. Visual impact / aspect - the proposed house would be overbearing and intrusive due to its height and close proximity to our house. In recent years, our property was extended to the side and rear, meaning the block plan extract and site location plan submitted with the application are out of date and inaccurate. This will certainly result in loss of outlook. It does not protect the amenity of adjoining landowners. This is a condition of the property deeds for 23c as a restrictive covenant exists

Please also review the 25% light test claim which appears inaccurate

3. Overshadowing / loss of light - we would experience both a loss of light and overshadowing, particularly during winter months as the sun will be behind the building during the morning and early afternoon.

Please also refer to supporting photos and e-mail submitted

Comments: 10th January 2022

Photos attached

23B Finchcroft Lane
Cheltenham
Gloucestershire
GL52 5BD

Comments: 11th January 2022

I write regarding Reference number 21/02785/FUL and our objection to the demolition of a single storey building to be replaced by a newly constructed two storey building.

We live at 23B Finchcroft Lane and the Bungalow 23C is directly at the rear of our house and very close to our property and the current privacy we have will be greatly lost if it proceeds. Direct visual access from the windows on upper floor of 23C will be directly in-line with our rear bedroom windows upstairs and our Conservatory and Garden Patio areas. We will also have loss of some of the lovely views of the hills which was an attraction for us when we purchased the house some 40 years ago.

Planning History :- The Farm House 23 Finchcroft Lane was acquired at the end of 1969 for the building of our House 23B, 23A and 23C. The Builders, Marshalls of Cheltenham applied to have three Detached Houses on the Farm Site number 23 on 28/11/69. This was initially not approved and subsequently rejected. I was in the past told by Mr Marshall himself, this was said on the basis due to the close confinement of 23, 23A, 23B and 23C. Mr Marshall originally wanted to live in 23C which Planning would only permit him to build a single storey Bungalow. He therefore initially lived in our House 23B and sold 23C as a Single Storey Bungalow.

We will find it exceedingly difficult coping with the noises associated with major demolition, construction and associated work which clearly will be extensive, and no doubt prolonged for some time before completed. At our age and stage of life we really do not want it and hence our objection to this major development and loss of our privacy. Finally, my wife doesn't want to have the curtains fully drawn when she is in her bedroom and going about her activities due to poor eye-sight.

23A Finchcroft Lane
Cheltenham
Gloucestershire
GL52 5BD

Comments: 9th January 2022

~~Adding end of comment which had been omitted~~

<> (contour land profile submitted via email)

Comments: 10th January 2022

~~Adding end of comment which had been omitted~~

NOTE The plans ('proposed context sections') showing the 25 degree sight lines are inaccurate and do not show the full extent to which our property and garden will be overlooked where actual representation of the topography would reflect that our garden slopes downwards from the 23c boundary hedge. The current 23c property is c10m from our main living room at the back of our house and, although located at the end of our garden, maintains some privacy due to it being at a single level and around the height of mature shrubs. This planning proposal is a massive overdevelopment of a relatively small plot surrounded on all sides by properties in very close proximity, who will be adversely impacted in multiple ways. This has been previously acknowledged when the Planning Committee refused a much smaller scale planning extension to the garage as affecting the occupants of the neighbouring property "unduly overbearing and oppressive". The Parish Council have also noted "concern over neighbours' amenity" in a planning proposal for this property. (contour land profile submitted)

Comments: 5th January 2022

We are strongly opposed to this large scale, obtrusive development proposal to what is currently a low-level bungalow carefully located on a highly sensitive plot (c 1m from the end of our garden). Our objection is based on this application not meeting the requirements of Section 8 of the NPPF, Policy SL1 of the Cheltenham Plan and policy SD14 of the JCS as this development has an unacceptable impact upon the amenity of our property as listed below. The inaccurate portrayal of the topography and measurements means that the required sight lines, and assessment on privacy and light, are not sufficiently met as per the detailed advice given in the Residential Alterations and Extensions SPD.

This application results in:

* Complete loss of privacy: 23c is located at the end of our garden, less than 10m from our house and rear window. The current bungalow's tiled roof-line aspect in direct line of sight from the rear of our house will be replaced with double recessed balconies and skylights. This design feature increases the risk of massive overlooking and significant loss of privacy for all of the rooms at the back of our house and garden. Any usage of the balconies would mean a complete and unacceptable sight line into all of the windows at the rear of our house (incl. kitchen and youngest daughter's bedroom). (Photo submitted)

*Result in significant overshadowing/loss of light: We will experience a material loss of light during the winter months when the sun is lower in the sky and directly behind the extended building. This will cause significant shading to our garden and have a detrimental impact on the health and well-being of our growing family from reduced enjoyment of our garden and natural daylight. (photo submitted).

*Adverse visual impact/aspect: The proposed extension is completely out of character within the existing area, where 23c was sensitively developed as a single storey dwelling at the end of the gardens of 23, 23a and 23b on Finchcroft Lane and between similar multiple adjoining properties on all sides. A double storey extension with further windows in the roof would be very intrusive and overbearing. This construction would breach the

requirement to make development acceptable to communities as it does not fit in with the overall layout of the surroundings as documented in NPPF at section 12 for achieving well designed places, and conflicts with policy D1 of the Cheltenham Plan.

* Creating unacceptable overlooking: Due to the increase in height of the development, within close proximity to our house, we would lose the enjoyment we get from being in our largely private garden and the privacy that we currently have in the rooms at the back of the house. Our outdoor eating area is c9m away and faces the existing 23c tiled roof-line. If this roof is to be replaced by the proposed first floor double balconies, it will result in direct and complete overlooking of this area and an obtrusive invasion of the privacy we currently enjoy when dining out and enjoying our garden. (photo submitted).

<> (contour land profile submitted)

I trust that a visit from planning will validate these findings and competently assess the significant adverse impact that this proposal would have on us (23a and the high number of neighbouring houses), recognise the close proximity of the properties and acknowledge the inaccuracies shown in the plans.

Comments: 28th December 2021

PLEASE NOTE at 28 December 2021, we have not received any formal notification from Cheltenham Borough Council for this planning application.

We reserve the right to provide a full and comprehensive objection in due course.



In addition to our objection lodged on the portal today, I attach two photographs showing the proximity of the existing bungalow which provides an understanding of the impact. The proposed site is directly behind our house and would have a massive detrimental effect on us due to its close proximity.

We live at 23 Finchcroft lane, moving here seven months ago, and the bungalow is situated in what was formerly our property's garden. Our property's previous owner included a restrictive covenant regarding future building on this site so that the amenity of neighbours would not be adversely affected. Clearly this proposed build would do just that.

I attach two photographs of the current view of the bungalow taken from our living room and bedroom.

Thank you

Regards











