

<b>APPLICATION NO: 22/00458/FUL</b>		<b>OFFICER: Mr Daniel O Neill</b>	
<b>DATE REGISTERED: 9th March 2022</b>		<b>DATE OF EXPIRY : 4th May 2022</b>	
<b>WARD: All Saints</b>		<b>PARISH:</b>	
<b>APPLICANT:</b>	Mrs Rosemary MacDonald		
<b>LOCATION:</b>	30 Hales Road Cheltenham Gloucestershire		
<b>PROPOSAL:</b>	Construction of 1.no dwelling in the land to the rear of 30 Hales Road		

## REPRESENTATIONS

Number of contributors	<b>5</b>
Number of objections	<b>5</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

34 Hales Road  
Cheltenham  
Gloucestershire  
GL52 6SE

**Comments:** 5th April 2022

Conservation

The proposed development will cover a significant proportion of one of the largest gardens in this Conservation area currently supporting a variety of trees, birds and other wildlife. This proposal does not protect or enhance Conservation as stated in the plan. Grasscrete under parked cars doesn't compensate for the garden removed to develop a two-storey house.

Several well-established trees in the applicant's garden are absent from the development plan. Should there be a Tree Report with an application in a Conservation area?

The proposed development would damage if not destroy several of our trees. In particular, a 5 metre high Arbutus Unedo. Unfortunately, this tree reaches beyond the boundary fence and well into the applicant's development plan. It is particularly vulnerable because the trunk is no more than 10 cm from the fence. The rooting system reaches far beneath the proposed north wall, approximately 12 feet in fact, and the 5.5 metre gable end of this house, planned just 1 metre from our fence, casts a shadow over the tree as well as a large proportion of our garden.

Trees at the other end of the proposed development boundary are equally vulnerable. Here there is a Yew, a walnut and others also at risk of damage to rooting - again running under proposed foundations.

This proposed dwelling seems likely to add to the problem of surface flooding. The absence of open lawn and trees currently soaking up and draining surface water could create a new flood issue, especially for the Keynsham street properties positioned below

the development site. The large roof area will also concentrate unprecedented torrential downpours we are all experiencing due to climate change, into new areas. The plan doesn't show sufficient drainage, so where will all this water go? A large proportion of it will wash down into that narrow, paved passage between the north wall of the proposed house and our boundary fence. And, it seems reasonable to assume that this water will end up on our side of the north facing boundary, sitting in new perpetual shade, over time damaging the fence recently replaced at our own expense.

We are also very concerned that this proposed development relies on 'precedent' in a Conservation area. Is it reasonable, given policy emphasis on sustainability and the urgency of issues concerning climate change, to build a two-story house in an already dwindling Conservation area?

Accepting the 'Precedent' claimed in favour of this development ignores the cumulative impact of the three sites already built or granted within the Sydenham Character Area as a whole. Three sites have already eaten into the Conservation area resulting in a significant loss of residential garden to birds and other wildlife, and the loss of valuable soak-away surface area - between Keynsham St and Hales Rd. Granting planning on the basis of 'precedent' for this particular application is not sustainable.

### Scale and Mass

No matter how creatively it is described, this property has the profile of a two-storey house the scale and design of which is excessive and dominant. The footprint is tightly packed and out-of-proportion in scale both within the development site and in the context of the six neighbours sharing its boundaries.

Standing at 5.5 metres high and barely more than 1 meter from most of a number of boundaries, the extent and proximity of this two-storey house is overbearing, imposing and, in many ways already noted by other objectors, it is an invasion of privacy for nearly every family living in surrounding homes, currently enjoying their gardens.

### Impact on Amenity

There are three windows in the gable end of the proposed development that look straight down and into the middle of our garden. One of the windows is the same height and width as a door so the occupant could stand at the window from their mezzanine and look straight down at us in our garden. Do these windows open? Given the proposed proximity of the gable end to our boundary fence, the occupant would be able to view the whole of our garden, corner to corner, leaving us nowhere outside to sit in private. And if the windows open, from a close and elevated position she will be able to hear private conversations.

The development casts a long, extensive shadow over our garden. Positioned South West of our boundary, 30 meters of wall 1 metre from our boundary, much of it at a height of 5.5 metres will put our established garden and vegetable patch as well as the trees noted earlier into shade for significant periods throughout the year.

This proposed development will have an enormous impact on our quality of life. Our garden is important to us and a central part of our lives. We make full use of it and currently enjoy the privacy it gives us. We have planted many trees over the years, a vegetable patch and re-designed the whole central area with established plants and

shrubs. We are very attentive of our garden from early spring to late Autumn. Another objector has raised a point that we agree with and would like to second: We would also welcome a visit to our property from planning to assess the impact of the proposed house first-hand before a decision is made.

There is a short-term and long-term disruption resulting from this proposed development that will harm the environment permanently and affect the well-being of many local families.

34 Keynsham Street  
Cheltenham  
Gloucestershire  
GL52 6EN

**Comments:** 3rd April 2022

The reasons for this objection are listed below:

Scale of development is excessive.

Would result in an overbearing building.

The noise pollution from the building of this property would be excessive.

33 Keynsham Street  
Cheltenham  
Gloucestershire  
GL52 6EN

**Comments:** 2nd April 2022

We object to the development to the rear of 30 Hales Road for several reasons, ranging from additional traffic on an already narrow alley way, to questionable access for emergency services.

Access:

The access to the proposed dwelling will be solely reliant on a back alley which already has high levels of traffic for a road not built for residential living. Further to this, the proposed dwelling will be located at the narrowest section of the alley - spanning just over 3 meters wide (more on this below). In addition to this, there are tight bends on this alley which large vehicles would struggle to manoeuvre around, particularly with other cars, garages and pedestrians on this road. We want to highlight that should the need for emergency services arise, the access is extremely limited - with no alternative route.

Also, we must highlight that the proposed site location plan for 30 Hales Road is inaccurate. It excludes an additional c.1.5m of our legal property boundary in the alley way - therefore making the proposed access look wider than it actually is. I have attached a site plan of our property, as well as a photo showing the concrete area outside our property which must remain unaffected by any building works & vehicles on the road.

Further to this, as our property is adjacent to the access to the proposed dwelling, and we are concerned that access to our land & garage will be restricted throughout the building process which can take months, even years for a property of this scale. With commercial vehicles blocking the road, our vehicle access will be restricted for our personal use and importantly, for commuting to our place of work.

#### Scale:

The scale of the proposed dwelling is far larger than what is appropriate for what was originally described as a quaint bungalow on an alley way. The new proposal shows that the dwelling has been extended to hold a third bedroom, initially an 'office area' outlined in the PiP. The justification for such change is that they are only now "taking into consideration the recently built 2016 dwelling" at no.39 - however this property was built 6 years ago and will not have been "new news" to the applicant at this stage in the process and is now tactically being used. The proposed height of this new building will be unappealing for all neighbours to look at - and the property design itself is out of place amongst the Victorian architecture.

From the drawings provided, the scale of the proposed property will encroach on the surrounding neighbours' land from all angles. For those sharing a boundary with the property, there will be a lack of privacy given the proposed locations for windows and skylights. The "mezzanine" aspect of the property in particular, will overlook the properties in the surrounding area and will impact neighbours' quality of life. Further, the site will be in eyeline to our bedroom within our house, and will become an eyesore for everyday viewing considering the removal of trees and shrubbery between our gardens.

#### Noise Pollution:

Given the vast amount of work required to the land, as well as the construction itself, we will be negatively impacted by increased noise and disruption. With more & more working from home, the impact from the building works would not only affect our personal quality of life & restricted use of our outdoor space, but cause major disruption in our professional capacity.

#### Shared Boundary:

The proposed site will share a boundary with our garden, therefore we are concerned about any potential damage caused to our property during the building process & how this will be mitigated by the applicant.

#### Neighbours:

We also wanted to highlight that the house to the rear of the development, 32 Keynsham Street, is currently unoccupied. This property, as you can see on the proposed drawings, will be immensely impacted by the new dwelling. We therefore wanted to voice our concern that this property may have not been properly consulted during the PiP process nor may they have the time to voice their concern for this development proposal.

In addition to this, having only recently purchased our current property (33 Keynsham), we too missed the opportunity to object to the original PiP as well.

Photo attached additional information provided.

31 Keynsham Street  
Cheltenham  
Gloucestershire  
GL52 6EN

**Comments:** 4th April 2022

I live at 31 Keynsham Street and confirm I object to the application for the construction of a dwelling to the rear of 30 Hales Road.

My property is immediately behind the boundary fence of 30 Hales Road and I object to the application for several reasons, which I have set out below.

Firstly and most importantly for me is the impact to the quality and enjoyment of my home, including my garden, for the following reasons:

(1) Increase in noise - I am concerned about the increased noise from the proposed removal of trees bordering the properties as well as from a new dwelling in such a small space. The noise from the development phase as well as the long-term noise from another dwelling and the driveway that is to service it so close to the boundary would have a negative impact.

(2) Reduction in privacy - the windows including those from the mezzanine appear to be higher than the proposed fences. My property will therefore be overlooked, which is not the case at all currently and would therefore reduce the privacy in my home and garden.

(3) Scale and visual impact - the proposed scale based on the dimensions provided is domineering for the land and is very close to the boundary. The removal of the existing trees, especially to be replaced by a building, has a significant impact on the view from my home and garden and the scale additionally reinforces those points highlighted above.

The concerns and reasons for the objection listed above have a negative impact to the quality of life and enjoyment as a resident. I simply would not have purchased this property with a building close to the other side of the boundary fence.

The current view from the house and garden to the rear is lovely greenery from the trees that line the boundary fence and house many birds and other wildlife; the proposed plans would see these removed and replaced with a building. The report refers to the trees reducing the light to my property - the report does not speak on my behalf or represent my view. It is worth noting here therefore that whilst the outlook from the rear of my property is the Leylandii and other trees immediately behind the boundary fence, I was not made aware of the proposed removal of these under 20/01870/CACN, presumably in anticipation of this application for a dwelling, and therefore was not able to object. I therefore note here that I also object to the removal of these under that reference and this application for the reasons already provided (concerns about loss of privacy and increase in noise).

Secondly, the lane that is to service this proposed dwelling is narrow and there are already concerns about the level of traffic in the lane, the state of the surface of the road, whether it can be serviced properly in terms of refuse collections etc. and whether it could be accessed by emergency vehicles should the need arise. These have been noted in comments about another proposed dwelling in this same area (21/00960/PIP), of

which there have been a number of objections, but is important to note them here too given the shared access to the proposed dwelling under this application.

I would ask that the negative impact on the amenities of the surrounding properties including my own, as well as on the character and appearance of this part of the conservation area by the construction of yet another property in an already relatively cramped space plus the removal of so many trees is seriously considered. I would welcome a visit to my property from planning to assess the impact first-hand before a decision is made if this is helpful and should the team wish to do so.

I am not aware of how widely the notice to reply to the application has been communicated however would expect more objections, at least from those that have already objected to the PIP for this dwelling, if it was communicated to the residents of Keynsham Street and Hales Road / those that share access to the lane on these streets.

30 Keynsham Street  
Cheltenham  
Gloucestershire  
GL52 6EN

**Comments:** 31st March 2022

I am writing to inform you of my formal objection for planning permission for:  
22/00458/FUL | - Construction of 1.no dwelling in the land to the rear of 30 Hales Road  
(a physical letter of objection has also been submitted to the council)

The reasons for this objection are listed below:

**Scale of Development:**

(see reference proposed ground floor and site plan)

From the drawing and dimensions given, the proposed scale of the development is overbearing, encroaching and incredibly close to our property boundary. This will impact us in the development phase and the long term as highlighted in my points below.

**Privacy and Overbearing Building:**

The property's lower ground windows will decrease privacy on our land as, from the drawing, they are higher than the proposed fences. There are also sky lights on the upper Mezzaine which could be used to overlook our property. We would feel uncomfortable being this close to a new development which could overlook onto ours as the current property boundaries do not overlook each other at all so this change will have a long term impact to our quality of life.

**Noise Pollution:**

The noise pollution from this property during the intense development phase would dramatically reduce quality of life as a resident. Also, as the boundary lines are so close to our property, the impact will be longterm due to the proposed driveway and proximity of the new inhabitant.

### Visual Impact:

The proposed dwelling appears to sit very close to our boundary and will be unsightly in comparison with the current mature trees.

In the proposed design access statement: 2.0 site location (page 9), the architect refers to the fact that our garden will receive more sunlight if the existing trees were removed. While this might improve sunlight in the morning hours, it is far outweighed by the fact that we would be looking at a building rather than trees which were existing in their current state when we recently purchased the property. Up to this point, clearly no effort has been made to maintain the height of the trees to improve our sunlight so we reject this point as being beneficial to us.

The upper Mezzanine would also cause visual impact due to the height and lack of privacy due to the proposed skylights which would overlook our garden.

### Tree Report:

We note from the comments online that there is no tree report for the proposed development. As the existing trees are so close to our boundary, we would need evidence that the removal of the applicants trees will not disturb the trees growing on our side of the boundary. We will also seek clarification of who owns the boundary fence and if it belongs to us, we would need guarantees that it would not be damaged by removing the current trees.





