

<b>APPLICATION NO:</b> 22/01101/FUL	<b>OFFICER:</b> Miss Michelle Payne
<b>DATE REGISTERED:</b> 23rd June 2022	<b>DATE OF EXPIRY :</b> 18th August 2022
<b>WARD:</b> Battledown	<b>PARISH:</b> CHARLK
<b>APPLICANT:</b>	Mr B Moore
<b>LOCATION:</b>	Sangria Ashley Road Cheltenham
<b>PROPOSAL:</b>	Proposed replacement dwelling (revised scheme following grant of planning permission ref. 21/02329/FUL)

## REPRESENTATIONS

Number of contributors	<b>39</b>
Number of objections	<b>38</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

Walmer House  
32 Bath Street  
Cheltenham  
Gloucestershire  
GL50 1YA

### Comments: 30th June 2022

Further to my previous objection rather than the developer reducing the size of the application he has increased it.

In my opinion this application was originally a gross overdevelopment of the plot - dominating the houses around it and severely increasing the lack of privacy - and this revised application only serves to increase those fears.

The National Planning Practice Guidelines (NPPG) state that an environmental impact assessment be carried out and reviewed by any planners. My house, lower down Battledown Hill, has already been flooded twice due to the run off caused by water from the natural springs in the hill. To add such a huge development with the requisite increase in concrete and other hard surfaces will only exacerbate the problem.

The NPPG also state that consideration should be given to the historic environment of the area around the application. In this case the next door property, The Firs, is a house of "local interest" being the 2nd oldest house on the Battledown Estate. To approve such an overdevelopment of this site would cause irreparable damage to the surrounding environment and in particular The Firs.

Furthermore core policy on design states that the development will only be permitted where it "compliments and respects neighbouring development and the character of the locality and/or landscape". This huge development cannot be said to compliment and respect neighbouring development nor the character of the locality and/or landscape.

I appreciate that permission was granted (erroneously in my opinion) for the original application however this revised application is predicated entirely by greed and has no architectural merit, even less than the original application. The "barn" for which permission was originally granted now threatens to become a "hanger" and I urge you to prevent this madness.

The Uplands  
Stanley Road  
Cheltenham  
Gloucestershire  
GL52 6PF

**Comments:** 9th July 2022

I was surprised to hear that this latest application would result in an extremely large and, in my view, inappropriate property designed to purely maximise space

BUT

At the significant detriment to neighbours and to the wider Battldown estate - the design being unattractive to most people

Specifically the height of the building is too aggressive and much beyond what is really needed and, indeed, what is already proposed (why?). This latest application seems to have ignored all reasonable principals for privacy for neighbours - and should be refused.

It also imposes further time & costs on the council which could be better spent elsewhere

Further there is the obvious issue of " planning creep" which is a typical ploy by developers which are solely designed to play the planning process by developers - another tedious & unwelcome tactic used by developers

Please could this application be declined and the original be reverted to - whilst not ideal this had been discussed and broadly agreed with neighbours - which should carry some merit/validation

The Ridge  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QE

**Comments:** 9th July 2022

According to the Battledown website, 'Seen from Cleeve Hill, or from high-rise buildings in the town, Battledown presents itself as a green, wooded hill, with few, if any, of its houses visible, and forms an important part of the hill rim which surrounds the town'.

Sadly, the 'green wooded hill' is in grave danger of becoming a concrete and glass jungle, with each new replacement property on the estate seemingly having one overriding ambition, which is to fill the plot with as much house as possible to the great detriment of the surrounding garden.

Battledown should not be preserved in aspic and we are very much in favour of new development, especially those contemporary in design like Sangria, but the planners must take into consideration what is being lost with every square foot of garden that is

being concreted over. Not only will the scale and mass of this application be felt as oppressive and intrusive by those neighbours within its curtilage but it will be taking away from the hugely important biodiversity of the green space around it.

The calm and semi-rural character of Battledown relies in huge part on its very special natural charms and the green space between properties is just as important as the properties themselves. I would therefore ask the planners to decline this resubmission and leave in place the original, which will have less of an impact on the neighbouring properties and on the biodiversity of the plot.

Greenacre  
Stanley Road  
Cheltenham  
Gloucestershire  
GL52 6QD

**Comments:** 4th July 2022

Having objected to the previous plans for this property , we were really disappointed to see that the new plans have not taken into consideration the effects on neighbours and the estate in general .

The building is far too big for the plot and is already overbearing on its neighbours. It is not in keeping with the locality and should not be any larger. The privacy of neighbours will be affected by the change in design , the extended bedroom and patio will overlook all three direct neighbours is not acceptable.

The development will have a strong impact on the environment as It will be harmful to biodiversity

There is little or no plan for storm drainage so potentially causing flooding to houses and gardens below

No plans have been submitted for building traffic and parking

Ashley House  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QE

**Comments:** 12th July 2022

Whilst a replacement dwelling for the existing house is welcomed, we have very serious concerns about the design and positioning of the proposed replacement as detailed in the most recent planning application.

In our view, this new planning application fails as set out below to comply with Policy SL1 and Policy D1 of the current Cheltenham Borough Plan, adopted in July 2020.

Policy SL1 - "Safe and sustainable living" states that development will only be permitted where it would "not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality".

We believe that this application causes "unacceptable harm to the amenity" of immediate neighbours for the following reason:

The assertion in the Design and Access Statement (para 05.1) that "the scale is in keeping with the proportions of existing large properties within the vicinity" makes no sense when considered from its adjacent and surrounding neighbours. Despite the fall in the ground on the plot, the side wall and roof of the North wing and the now extended bedroom and balcony will present an overlong, overbearing, and unsightly mass viewed from neighbouring rear gardens whose privacy will be seriously impinged. Autumn and winter light/sun from the South West into the garden and main living areas of the adjacent property ("The Firs") and other neighbours will be significantly impaired by the proposed North wing of the dwelling. It is interesting to note that the submitted shading plans are only for May to September when the sun is high - we wonder why!

Policy D1: "Design" states that "development will only be permitted where it complements and respects neighbouring development and the character of the locality and/or landscape."

In terms of respecting neighbouring development, emphasis is given in the Design and Access Statement to the unassuming view of the building from Ashley Road. In that context, the comment in the Design and Access Statement (para 03.4) that "the proposed dwelling "is sited "in a similar location to the existing location" rings hollow when viewed on the "Proposed block plan" where one half of the proposed north wing and the whole of the connected large garage occupy land previously forming part of the garden adjoining The Firs.

Further, the Design and Access Statement is silent on the different picture in considering the view of the proposed building from the rear. The mass and scale of the proposed enormous rear wing projects far down the existing garden of the plot and in our view fails completely to "compliment and respect neighbouring development and the character of the locality and/or landscape".

For these reasons, we object to this planning application.

Beechwood  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6PG

**Comments:** 9th July 2022

I object to this application on several grounds.

Firstly, the proposed construction is too large for the plot and will overshadow the properties on either side. The building will also be generally forward of the current front building line and this will add to the overall impact as viewed from Ashley Road.

Secondly, the design will have an impact on the privacy of the two houses either side and at the rear.

Thirdly, as the building will cover a greater area of land, this will have an effect on drainage in the area particularly as the land slopes down to the rear of the plot. Of particular concern is the public footpath to the side of the plot which runs steeply downhill and is prone to get muddy and slippery after heavy rain.

Outwoods  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QJ

**Comments:** 4th July 2022

The building is too big for the plot and is already overbearing on its neighbours  
Core policy on design: The building is not in keeping with the locality and should not be any larger  
Environmental impact: Its harmful to biodiversity and no consideration has been given to the impact  
There is little or no plan for storm drainage - flooding houses and gardens below  
The extended bedroom and patio will overlook all three direct neighbours  
No plans have been submitted for building traffic and parking

1 The Willows  
Oakley Road  
Cheltenham  
Gloucestershire  
GL52 6PA

**Comments:** 13th July 2022

Having reviewed the revised plans and considered the location of this property, I believe that the proposed building will cause harm to the amenity of the area, and will adversely affect the light and privacy of its neighbours in particular.

The building of further houses that effectively extend the footprint of the existing properties (whether or not through the device of a mezzanine level) has a very adverse effect on the character of the estate, which is enjoyed not only by residents but the wider population of Cheltenham for recreational purposes. The Battledown Estate is understood to be the last Victorian private estate in England and as such the special character of the Estate should be protected.

Birchfield  
Birchley Road  
Cheltenham  
Gloucestershire  
GL52 6NX

**Comments:** 11th July 2022

Once again we have this application to increase the size of this property.

As mentioned before this property is far too big for the site and also is very over bearing on its neighbours it takes away their privacy.

I have no objection in the progress of development, but this property is out of keeping with lots of other properties on this road and I'm sure it will have an environmental impact on other houses below, re flooding of gardens and houses.

I therefore object to the increase in size but I am more than happy to support the original smaller planning application.

The Meadows  
Birchley Road  
Cheltenham

**Comments:** 18th July 2022

We would like to object to the plans for the above case number based

on the following; 1)The building is very large for the size of the plot which is already overbearing on the neighbours and is not in keeping with the local area and should not be any larger.

2)There is little or no plan for storm drainage which could result in local flooding of houses and gardens below.

3) The extended bedroom and patio will overlook all three direct neighbours which is unacceptable.

4) There seems to be no plans for traffic and parking.

Finally no considerations has been given to the impact on the environment and the harm to biodiversity.

We would be grateful if you could take these objections seriously as a large number of people are affected by this proposal.

Ashley Court, Ashley Road  
Charlton Kings  
Cheltenham  
GL52 6PH

**Comments:** 12th July 2022

I object most strongly to the new revised planning scheme at the site known as Sangria. The previous plans submitted were already unacceptable, however the 'creeping' revised expansion of this scheme only adds to my anxiety if this were to be permitted.

There have been constructed several 'over ratio'd' build to plot size properties in the recent past on the Battledown Estate on the lower roads, dug bunker style into the hillside. This site profile does not benefit from the same degree of slope and the intrusive size and height of the plan is not in keeping with the surroundings.

If left unchecked, the continued destruction of the Battledown Estate attributes of quality, historic charm, tranquillity and harmony will be lost. It is untenable to permit the building of border to border monoliths, where the ONLY CONSIDERATION is maximising square meterage with no respect to the local environmental character or consideration of mental wellbeing of those living nearby.

Ashley road is enjoyed by residents and non-residents alike, as highlighted during the pandemic as a tranquil aesthetically pleasing place to walk and cycle through undisturbed by traffic. A halt to enormous walled block house compounds must be made, serving only to lose the green and leafy character of what would certainly be an area of building conservation if it were not already Trust run.

The revised plan represents a mockery to the privacy of immediate neighbours with viewing balconies and raised platforms. This is an architect's/ client's maximising project with no care towards others or the future as proven by the complete lack of liaison or discussion with those of us living close by.

This estate is unique and must be preserved.

Brigs Meadow  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6PJ

**Comments:** 11th July 2022

Whilst we had no objection to the previous consented scheme, this new proposal is unacceptable. The sheer scale of the building would be at odds with the street scene and would have an adverse effect on the amenity of the adjoining locally listed property.

Inches  
Birchley Road  
Cheltenham  
Gloucestershire  
GL52 6NX

**Comments:** 13th July 2022

We would like to object to the revised plans for Sangria.

The original plans seemed too large for the plot. The revised plans propose a significant increase again in overall length in particular which are too large for the size of the plot, and which do not adhere to the council's planning requirements.

The development can be permitted provided it doesn't cause undue or unacceptable harm to the amenity of adjoining land and immediate locality. The development must also complement neighbouring properties.

The increase in overall length in particular will make the development too dominant, and overlook the neighbouring properties, causing undue or unacceptable harm to their amenity, light and quiet enjoyment.

The revised plans extends the wall on the boundary even further beyond the existing footprint, and the reduced light and shade which results must be carefully examined throughout the year, and the way in which it directly harms the amenity, privacy and quiet enjoyment of neighbouring properties.

We request the council reject the new plans in favour of the original plans which have already been approved.

Coversdown  
Birchley Road  
Cheltenham  
GL526NY

**Comments:** 11th July 2022

Having previously objected to the original plans on the grounds of excessive building size and harmful impact on neighbouring properties i would like to object to the proposed revised scheme which has not addressed any of these concerns but actually significantly worsens the negative impact this development will have.

In particular, the overall height of the building is excessive and the addition of the balcony overlooking the neighbours properties is very intrusive and not in keeping with the spirit of the neighbourhood of Battledown

Coversdown  
Birchley Road  
Cheltenham  
GL526NY

**Comments:** 11th July 2022

Having previously objected to the original plans on the grounds of excessive building size and harmful impact on neighbouring properties i would like to object to the proposed revised scheme which has not addressed any of these concerns but actually significantly worsens the negative impact this development will have.

In particular, the overall height of the building is excessive and the addition of the balcony overlooking the neighbours properties is very intrusive and not in keeping with the spirit of the neighbourhood of Battledown

Kerrymead  
Birchley Road  
Cheltenham  
Gloucestershire  
GL52 6NX

**Comments:** 1st July 2022

I understand that the trees will be taken down and there will be large terrace that is much higher than natural ground level as well as three storeys so it will impact our privacy as we are further down the hill. Terraces/balconies above natural ground level have not been allowed on newer developments except where they overlook the front. These terraces are overlooking the back. The development is huge for the plot and will impact all neighbours. Battledown is classed as semi rural and filling a site and overlooking are not in keeping with the estate.

Elba House  
Harp Hill  
Charlton Kings Cheltenham  
Gloucestershire  
GL52 6PR

**Comments:** 7th July 2022

Having previously objected to the original plans on the grounds of excessive building size and harmful impact on neighbouring properties i would like to object to the proposed revised scheme which has not addressed any of these concerns but actually significantly worsens the negative impact this development will have.

Ravenswood  
Stanley Road  
Cheltenham  
Gloucestershire  
GL52 6PB

**Comments:** 3rd July 2022

The proposed development is far too intrusive to neighbouring house. It will adversely impact the privacy of several houses and the light of at least one other house.

Hopwood  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QE

**Comments:** 10th July 2022

The revised plan for the development of Sangria does not address my previous concerns relating to the overdevelopment of the site. This is excessive both in terms of the size on the plot and height of the proposed building adversely affecting the neighbours quiet enjoyment. In fact the latest planning application has increased my concerns as follows:

- 1) The plans now include increased balcony sizes and an enlarged mezzanine floors. These would considerably overlook neighbouring properties and would be extremely intrusive to neighbouring properties including ours.
- 2) It is certainly over development of the site, the huge footprint of the proposed dwelling would cause considerable reduction in drainage on the site which would increase the risk of flooding to nearby properties. Also bearing in mind that all the surrounding trees are planned to be removed.
- 3) The proposed property would completely overshadow the neighbouring property 'The Firs'. The plans could be redrawn to be a lesser height and depth on the side adjacent to the Firs. It is completely overbearing.
- 4) The design and use of excessive concrete is completely out of step with the surrounding environment and has absolutely no architectural value whatsoever. It appears that the developer is simply trying to squeeze the maximum square footage box on the site with no regard to the neighbours, neighbourhood or environment.
- 5) We were not notified of the original application, which planning permission was granted for. If we had been aware of this we would have objected strongly, the building resembles an industrial unit from the side elevation similar to those found on Kingsditch trading estate. I found it quite unbelievable that the original planning passed.

Timberley  
Oakley Road  
Cheltenham  
Gloucestershire  
GL52 6NZ

**Comments:** 9th July 2022

I ask the planning committee to reject this planning application on the following grounds:

The size of the proposed new dwelling would impinge on the neighbours in the adjacent properties.

The extension of the West side ground floor level is such that it would overlook the rear of Heathergate House.

The size of the proposed property would not be in keeping with the adjacent or surrounding properties and would not compliment or respect neighbouring properties.

Basically the proposed development would have a detrimental effect on surrounding properties due to its size, height and elevation and as a result is not in line with core Policy

Toynton  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6PH

**Comments:** 11th July 2022

Battledown has very much a community feel to it, and we are happy to support our neighbours should the need ever arise. We had reviewed the plans for Sangria (opposite) and have discussed with our neighbours. The plans do not overly affect Toynton and we were content with the original planning permission, given that our neighbours and immediate community were also content.

However we note that the latest revision of plans depicts a building too big for the plot and overbearing on its neighbours. This infringes on 'The Firs' privacy and access to natural light. The addition to the plans also encroaches on other neighbouring properties with similar effect to 'The Firs'. The extended bedroom and patio will overlook all three direct neighbours. The building is not in keeping with the locality and should not be any larger than the planning consent already agreed..

We are concerned about the environmental impact - the plans are harmful to biodiversity and no consideration has been given to the impact with a large reduction in garden area planned for the property.

No plans have been submitted for building traffic and parking which if not considered can impact considerably on neighbouring properties and verges..

Field House  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6PH

**Comments:** 12th July 2022

Letter attached.

Baedalas Tun  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6PJ

**Comments:** 14th July 2022

In spite of being a relatively close neighbour I, like a lot of my neighbours it seems, received no notification of this or any of the previous planning applications for this site.

Firstly, I accept that Sangria will be taken down and replaced.

However I strongly disapprove of this application.

The footprint and orientation are very different to the original. The proposed height, from being a bungalow, means that the house will dwarf the neighbouring houses and look completely out of character. Neighbours who have lived up here happily for years are now facing being overlooked by a house which is way too big for its plot.

This part of the estate feels very much like the heart of it and the houses on the whole have a rather more traditional feel. There's no way that the proposed house is in keeping with the character here. It's sheer size, height and modernity will stand out like a sore thumb. Someone who hasn't lived up here may not appreciate that but I think the amount of objections from people who live up here speaks for itself.

Another very important point made by others too is that there seems to be no provision for parking for cars or large construction vehicles. Perhaps the new owner and architect are unaware that the verges must be maintained and not parked upon. There is very little room to park inside the plot which isn't part of the proposed new footprint. In addition it is already difficult for large vehicles to turn into the narrow drive which leads to the five houses where I live and this is but a stones throw from Sangria's entrance.

Another point which I agree with is that if the footprint is being increased to this extent it may well cause more flooding to the houses below. We live at the top of a hill full of underground streams which burst forth when we have storms or heavy rain, and that water has to find somewhere to go.

I do hope that the planning committee and councillors will give this application due consideration and hopefully visit the site before making their decision.

Runsell House  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QE

**Comments:** 22nd June 2022

We wish to reiterate our comments and concerns we submitted on Tuesday 22nd February 2022. See below. The revised plans do not change our views that this development is too large and not in keeping with the character of the estate in general and the surrounding properties in particular.

Further they do not allay our concerns regarding our privacy. The living quarters and associated balconies of the property (first floor) appear to have been extended further towards our property. This increases the probability of our privacy being seriously impaired should the screen of trees referred in our previous submission, below, not be maintained to their current extent. This would be a less serious issue if the living quarters were on the ground floor with the bedrooms on the first floor.

Given that the massive size of the development and associated out buildings significantly increase the area of ground that will be concreted over we are concerned to ensure adequate drainage has been provided to deal with surface water runoff. If not it will flow across our property which is directly below the proposed development.

It is well known that there are significant sub-surface water flows on the Battledown Estate. Again we are concerned to ensure that the massive foundations required for this development will not disturb any of these sub-surface water flows to the detriment of our property. It has happened with other very large developments on the Estate.

Finally we are concerned that adequate provision has been made to handle the waste water/sewage generated once the development is occupied. Given its location on the site it appears to be below the level at which it can access the Ashley Road sewer. If that is the case and if it has to access the sewer on our property we are concerned to ensure there is adequate capacity. If not what is proposed.

In summary we object to the size of this development as it is totally out of character with the estate in general and the surrounding properties in particular. If the Council is minded to approve the development then we would wish to see conditions imposed that relate to no reduction in the tree screening along the development's boundary with our property boundary to maintain our privacy, adequate surface water drainage is provided, no disturbance of any sub-surface water flows and adequate waste water/sewage provision.  
Comment submitted date: Tue 22 Feb 2022

We live in the property abutting the Western edge of the plot on which this house is to be built.

Following discussions with the applicant we agreed not to object to the previous plan on condition that a current screen of tall Thuja trees remained in the North West corner of the plot so as to avoid us being significantly overlooked and thereby maintain our privacy. The proposed enlarged building will result in a much larger area of our property being overlooked and infringe our privacy further. Similarly we were concerned that the height of the office/gym in the South West corner of the plot should not result in our privacy being infringed. Given the latest submission for a significantly enlarged building without any further discussions with ourselves we are concerned that if successful we could see another submission to remove the screen of trees (covered by a TPO) and to enlarge the office/gym. In other words continuing planning creep.

Given the above we would, at a minimum, require that conditions are attached to any permission to maintain the screen of trees between this property and ours to prevent any further infringement of our privacy.

More generally the proposed modified building is now far too large for the plot and its position on the plot is out of keeping with the general building line along Ashley Road. It will be totally out of keeping with the surrounding properties including ours.

Light will also be a major issue and it will totally overshadow the adjacent property, the Firs, and will form an overbearing presence to our property. We note a shading plan is available in the document pack but this only includes the existing trees and the existing bungalow and is for the months May to September when the sun is at its highest. We believe a new set of shading plans should be drawn up to include the impact of the new building for the months of June and December. The latter will demonstrate the massive effect the building will have on adjacent properties in Winter.

Heathergate House  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QJ

**Comments:** 4th July 2022

I am the owner of Heathergate House the adjacent property to Sangria & have not once through the planning process been contacted by Mr Moore on any of his plans.

The building is clearly too big in relation to the plot size & is now overbearing on its neighbours.

The extended bedroom & patio will now overlook Heathergate House & two other neighbouring properties which I find unacceptable.

On recent development projects on the estate building traffic & parking have been a major problem but the current submission includes no plans in this important area.

Having supported the initial submission in October 2021 I strongly object to the new submission which shows no consideration for the neighbourhood or neighbours.

The Firs  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QE

**Comments:** 25th June 2022

Object to Planning for Sangria

Ref: 22/01101/FUL

Ashley Road Cheltenham GL526QE

The Firs Ashley Road object to the updated plans for Sangria.

The Firs on Ashley Road sits immediately adjacent to the proposed development sharing its north elevation. The Firs is listed on the Index of "Buildings of Local Interest" by the council and should be afforded some protection from overdevelopment of the adjoining property.

After initial discussions with the new owners, we agreed not to object to their plans submitted in October 2021 primarily because other neighbours were abroad, and the extent of the development was not very clear with the owners promising an average two-story family house. It is now clear that the developer always intended to build a three-story house but knew it would raise too many objections. This dishonest approach to gain planning permission should be seen for what it is.

Core Policy on "Safe and Sustainable living" states that development will only be permitted where it would "not cause unacceptable harm to the amenity of adjoining land users and the locality".

This application causes "unacceptable harm to the amenity" of The Firs as well as other neighboring houses as an adjoining land user for the following reasons:

The extension of the master bedroom further to west creates a patio area that stands over a meter above the natural lye of the ground allowing residents to overlook our garden, patio and home as they stand more than halfway above any garden fence. Furthermore, the new additions will infringe on the privacy of Heathergate House to the south and Runsell House to the west.

Core Policy on "Design" states that "development will only be permitted where it "compliments and respects neighbouring development and the character of the locality and/or landscape.

The mass and scale of the proposed enormous north wing projects far down the existing garden and in no way "compliments and respects neighbouring development and the character of the locality and/or landscape". Allowing this eyesore to be increased by a bedroom extension of 1.4m is unreasonable and should not be allowed.

There has been no valuable consultation with any neighbours, only demands to increase the property in size - why? Greed. Quite simply more square footage to make more money at the expense of neighbours and the local community.

We ask the council not to fall for the planning creep that was clearly premeditated by the developer and architect and reject this application.

In summary:

- The length of the north elevation has been increased by 1.4m to the west at ground level raising the house at this point too far above the natural lye of the ground.
- The new layout is too large for the environment and its surroundings
- The plans are not sympathetic to any of the neighbouring properties
- The extension of the west flank ground floor level would mean that the rear of Heathergate House and the garden would be further overlooked
- Runsell house which sits below the proposed build will be entirely overlooked and dominated
- The Firs which is already overwhelmed by the existing permission will be further ruined by the horizontal enlargement

We also seek assurances from the Council that there will be no increase in the height or size of both the garage and the Home Office / Gym and that we will be consulted on the colour of cladding used on the development.

For the above reasons we strongly object to the revised plans for Sangria and respectfully request that the Council review the original permission given that the full extent of the impact of the development on the Estate in general and its neighbours, are now apparent. This is evidenced by the number of objections submitted to this and the previous submission.

Cherry Court  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6PJ

**Comments:** 3rd July 2022

The revised scheme unfortunately seems not to have given any consideration to previous concerns raised by a large number of the affected neighbouring properties.

My observations remain in that :

The proposal is too big and impacts adversely being in breach of planning guidance with the following evident.

Detrimental to street scene.

Ashley road is a fine mixture of architectural styles with the adjoining property " The Firs" being a particularly pleasing example and is noted locally as being of special interest. In terms of architectural hierarchy the new building should be subservient in scale so as to retain the integrity of the street scene. It is noted that the application does not contain a proposed elevation showing the adjoining properties which would give a better representation of the relative scale of the two properties. The amended proposal dwarfs the adjoining architectural significance and makes for an incongruous assortment of visual disparity when viewed from Ashley Road. To address this the height and volume should be reduced. In particular the east elevation when viewed from Ashley road is far too uniform and overbearing.

Biodiversity net gain.

DEFRA have an initiative to address climate change impact encouraging all planning authorities to ensure net gain on biodiversity. Battledown estate is a prime opportunity to put this policy into practice. As plots are large and are generally tree lined any planning application should retain the extent of existing tree cover with new planting if required along with other enhancements. The current proposal substantially increases the built to natural ratio on the plot and consideration should be given to including the garage and gymnasium into the main dwelling whilst increasing green landscaping.

Sustainable urban drainage.

The proposal will increase net flow of rain water from the site. Drainage policy on new builds should be to ensure zero increase in flow. This may be achieved by reducing the size of the roof and making any hard landscaping natural and permeable. The inclusion of a green roof rather than tiles would help in reducing peak flow during storms

alternatively a storm retention pond maybe specified at the bottom of the site which will also assist Biodiversity.

So in simple terms reduce height, size and remove outbuildings and make more sympathetic to the pleasing green environment that exists along Ashley road.

South Winds  
Battledown Approach  
Cheltenham  
Gloucestershire  
GL52 6RE

**Comments:** 11th July 2022

I am writing to you to object to the planning application, 22/01101 "Sangria". Before I state the reasons for my objections I would like to say I fully support the demolition and erection of a new house at Sangria, but not in the guise of the submitted plans.

**Disruption caused by works traffic and no provision of parking**

During the building work of Sunnyhill and Deerhurst on Stanley Road we were subjected to large vehicles blocking up Battledown Approach on a daily basis for over a year. Our driveway was regularly blocked by vans and the verges were completely destroyed. I my husband raised the issue with both Cheltenham borough council and Gloucestershire county council who kept passing the responsibility to the other.

As you will well know parking on roads and verges is not permitted in the Battledown Estate and I note there is no provision for works access or parking for construction staff in the plans. A building of this size will no doubt require a large workforce and the planning should ensure that adequate parking is provided on the plot and that roads leading into Battledown should not be used as a car park, including Battledown Approach.

**Privacy**

It is clear from the plans that the new property is going to dwarf those surrounding it. Most effected will be The Firs, located to the south of Sangria. I note a shading plan was done in the original plans, but not in the new plans, which are , much larger in scale, despite what the applicant says. I would suggest a new independent shading plan is done at different times of year, e.g. March and late October, the original plan is done at the height of summer to show as minimal an impact as possible on neighbouring properties. The shading plan also does not appear to include the huge amount of shade that will strewn across The Firs by the unnecessarily large sloping roof.

The right to light is law in England and Wales under the Prescription Act 1832. As I am sure you know the right occurs once light has been enjoyed through defined apertures of a building for an uninterrupted period of 20 years. The owner of The Firs have lived in the property for over 20 years and the property itself is well over 100 years old. It is clear from the plans that large amounts of light are going to be blocked at The Firs.

**Discrepancies in "Design And Access Statement"**

Reading the "Design And Access Statement", I couldn't help but notice a number of inaccuracies and contentious points which I feel are worth highlighting below:

"It is proposed that the replacement dwelling shall be used as a permanent family residence" - I have it on good authority that these additional planning applications are to increase the square footage of the property over 5,000 square feet to ensure a sizable profit is made on the development. The plans do not outline a family home. Why would you sacrifice all that garden and build the house upside down? The "upside" down nature also contributes to the privacy issues. It is clear the application is simply about generating as much profit as possible with no consideration for the impact on the neighbours.

"There are no fundamental wholesale changes to the scheme that drastically increase the proposed foot-print of the previously approved scheme." - this is factually incorrect, the square footage is increasing by 24% vs the approved plans. This is an outright lie.

"We feel that the scale and nature of the proposals is appropriate to its setting with only minor alterations sought from the recently approved scheme." - the planned property is far too large for the plot. As above, the changes are significant.

"The proposed design has been well considered and is an appropriate solution that integrates itself with the sloping terrain as well as seeking to mitigate any perceived adverse impact on the neighbouring properties" - the impact on neighbouring properties is significant, hence why they have also objected this application, and didn't on previous applications.

"The application demonstrates an efficient use of land." 4 bedrooms in a 5,500 square foot property is hardly efficient, is it?

"The proposed materiality is high quality and reflects the variety of The Estate, combining urban and rustic whilst the form of the proposed is modern in style." - the plans resemble little more than a giant cowshed.

"Given the wide variety of large houses within The Estate the scale and form is entirely appropriate." All nearby houses on Ashley Road are a fairly consistent distance from the road. The plans are right in the middle of the plot. The property will stand-out like a sore thumb and overlook neighbouring properties. It is entirely inappropriate.

In summary, the planning application is entirely inappropriate for the plot, local area and will clearly negatively impact neighbours on all sides. I hope the council will do the right thing and reject this application.

Battledown House  
Ashley Road  
Cheltenham  
GL52 6PQ

#### **Comments:** 4th July 2022

I do not object to development per se. However, what is proposed for Sangria is in clear conflict with a number of core principles and values that CBC applies when determining similar developments on the Battledown Estate. I'm also concerned that all of the environmental / ecological aspects of the development might not have been properly considered by the developer. Specifically:

1. A development should not create balconies / external mezzanine areas which would result in neighbouring properties being overlooked. The proposed mezzanine floor on

Sangria - which has been enlarged from the previous application - would result in all the properties below Sangria, as well as those immediately adjacent, being overlooked. This whole aspect of the design is unacceptable and should be removed.

2. Looked at from the north elevation, the proposed new dwelling would completely dominate the Firs (see 1619-310) in an unacceptable way.

3. The plans appear to contain no details on rainwater harvesting. This is important for a dwelling on top of a hill, and where it is proposed that the built area of the site is increased significantly, thereby greatly increasing water run-off, and the dangers of flash flooding to properties below it.

4. The absolute size of the proposed dwelling, both in footprint and height, is simply too big for the plot. It requires numerous trees to be cut down, and there are no ecological mitigation measures proposed - where is the net gain / loss calculation?

5. The existing dwelling has been empty now for around 2 years and I believe that bats may now be roosting in the dwelling / the surrounding habit. Has a bat survey been recently undertaken to assess what species might be living at the site / what mitigation measures might be needed?

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Wenbans  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QE

**Comments:** 11th July 2022

We live in Wenbans on Ashley Road and strongly object to the revised planning submission to further increase the property, Sangria.

This set of plans do little to address the complaints of the community which were submitted in droves earlier in the year.

The size of the newly proposed home is substantially larger than the original submission. None of our concerns have been addressed and all the neighbours have been totally ignored. Clearly this developer has no interest in the community and is looking to profit at the expense of all else.

The building is too large for the plot of land and is not in keeping with the beautiful houses surrounding it. The additions made, create an even more overbearing building of industrial proportions which should not be allowed.

The extension down the north side of the property will be seen from all the adjacent properties including Wenbans. It is an imposing and overbearing structure that is totally out of place and out of context. The extended patios and balconies will further overlook all the neighbouring gardens and the mezzanine with its 10m high windows will look directly down on the neighbours to the South and the West.

In summary I am strongly objecting to this planning submission.

7 Beechwood Close  
Cheltenham  
Gloucestershire  
GL52 6QQ

**Comments:** 9th July 2022

I would like to object to this proposed build on a number of grounds. Primarily the loss of privacy for the neighbouring properties as the proposed build is so enormous and overlooks their houses and gardens hugely. Secondly the visual impact of the proposed property - This will be an eyesore completely out of keeping with the surrounding area and properties. The plans for this residence are more akin to a furniture showroom than a family home. This will in no way follow the council guidelines of "complimenting and respecting neighbouring developments" nor will it "compliment the character of the locality and landscape". Please see sense and refuse this application.

Fairbanks  
Oakley Road  
Cheltenham  
Gloucestershire  
GL52 6PA

**Comments:** 10th July 2022

We object to the revised plans for Sangria. The building is too large for the plot and will reduce light in the neighbours garden. It will impact on the environment and could cause flooding for the neighbours below due to the impact on rainwater drainage. The extended bedroom and patio will affect the privacy of three neighbours. We hope that you will reject this application to extend what is already a large building on the plot.

Southern Lawn  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6NU

**Comments:** 1st July 2022

I object to this proposal because:

- The proposed house is much larger than the agreed plans.
- It will impact on privacy (Runsell House) and reduce available light to its neighbours' home (The Firs).
- It is next to one of the oldest houses on the Historic Battledown Estate (The Firs) and in scale and impact will overwhelm it, thus having a directly negative impact on the environment
- There is a clear attempt to increase this house, by incremental applications, from the already approved and very generous increase over the size of the existing dwelling. In our view, the existing dwelling should form the bench mark for what is a suitable replacement, and not the approved plans.

As a more general comment, these large houses, designed to virtually fill the half acre plots, are marketed as a unit for one family's enjoyment. They use a disproportionate amount of concrete and steel, both of which are environmentally unfriendly materials. We would welcome a discussion by our Councillors to explore whether they are able to move towards a policy to discourage use of such environmentally unfriendly materials in private homes.

Hilcot  
Stanley Road  
Cheltenham  
Gloucestershire  
GL52 6PF

**Comments:** 6th July 2022

I am writing to object to the revised proposal for Sangria.

1. The Industrial look to the proposal with mismatched proportioned windows that are imposing as you walk around the estate as it has a look of a 'watchtower'. Completely at odds with the older houses and some modern houses that blend into the site and location.
2. Extensive use of concrete that does harm to the environment
3. The main objection is the height and scale similar to a block of flats or an office block. The increased height of the developed proposal will block more light and be more intimidating to neighbouring houses. The neighbouring gardens will be overlooked and the lack of light will prevent plants from growing.

I urge you to reject the proposal for the compelling reasons above.

Hillcrest  
Birchley Road  
Cheltenham  
Gloucestershire  
GL52 6NX

**Comments:** 4th July 2022

I objected recently to the changes to the original application. I do not object to a house being built on the site but I do object to a house which is clearly out of synch, out of character and out of step with every house around it, especially to those right next door to it.

It seems that every application to build a house on or in Battledown goes for maximum square footage as the belief is they will get more for it when it comes to sale time. They probably will but at what cost to the neighbourhood? A massive house on a smallish but very narrow plot like this one is going to dwarf the neighbours - overlook their gardens, be intrusive and quite literally be 'out of line' with all the houses along Ashley Road. Yes, build as big a house as is sensible but it seems to me that all common sense has been abandoned when allowing a building of more and more square footage which overlooks neighbours on both sides when at present there is not one house along Ashley Rd that I can think of which looms over their neighbours gardens quite like this one will. The extended bedroom and patio will overlook all three immediate neighbours. Just cut it all back to sensible proportions and then all the neighbours will be happy. I further understand that there is risk to storm drainage which will affect the houses below with potential flooding. Is that right? Nobody wants that.

But the thing that I think is most wrong about this application is that every house along Ashley Rd is almost in a neat line with all the others whilst this one isn't. Sangria was originally. Now the application is for a house that will stretch so far west that it overlooks three neighbours in a seriously intrusive manner. That is wrong and the application should be reassessed. It should be a smaller house and the house should be positioned further east and closer to Ashley Road.

Ashcombe House  
Ashley Road  
Cheltenham  
Gloucestershire  
GL52 6QJ

**Comments:** 12th July 2022

From my previous comments... I see we have another application..  
They have not addressed any of my concerns ...  
The building is just too big for the plot and all my previous comments should be noted .

Montrose  
Stanley Road  
Cheltenham  
Gloucestershire  
GL52 6QD

**Comments:** 9th July 2022

My objections from the previous application still stand.  
The building is still too big for the plot and is overbearing to its neighbours - affecting both light and privacy. It is not in keeping with the area in relation of garden to building ratio.  
Looking at the plans there seems to have been no consideration given to the impact regarding biodiversity.  
Has consideration been given to the potential damage on neighbouring properties from storm drainage so that the lower properties are not flooded?  
No plans have been submitted for building traffic and parking.

Karadys  
Oakley Road  
Cheltenham  
Gloucestershire  
GL52 6NZ

**Comments:** 1st July 2022

Cheltenham should be proud to still have two Victorian Estates. Battledown is an asset and residents try not a little to keep it that way, maintaining verges and trees at considerable expense. The planned building 'Sangria' is causing much pain amongst immediate neighbours. Is it not the responsibility of an architect to consider the surroundings when conceiving a new build? An architect is not a developer (Battledown Estate is not a development) and must do his utmost to cover his clients needs and wishes, advising the best possible design and layout for the size of the plot. Every plot has neighbours- I'm stating the obvious- so let's consider the word 'neighbour'.

Neighbour - Oxford Languages:

- 1/ a person living next door to or very near to the person referred to
- 2/ a person or place IN RELATION to other next or near to it
- 3/ any person in need of one's help or kindness.

Basic social behaviour then means discussing with potential neighbours how they will be affected by a neighbouring new build.

Wellswood House  
Birchley Road  
Cheltenham  
Gloucestershire  
GL52 6NY

**Comments:** 4th July 2022

I strongly object to the latest set of revised plans submitted for Sangria on Ashley Road.

The concerns which I raised on the last revision have not been addressed and are therefore repeated below. In addition this proposal with balconies and enlarged mezzanine floor will severely impact the privacy currently enjoyed by neighbours.

The proposal does not comply with D1 of the Cheltenham Plan (July 2020):  
DESIGN Development will only be permitted where it: a) adequately reflects principles of urban and architectural design; and b) complements and respects neighbouring development and the character of the locality and / or landscape. Extensions or alterations of existing buildings will be required to avoid: c) causing harm to the architectural integrity of the building or group of buildings; and d) unacceptable erosion of open space around the existing building.

Nor does it comply with SL1 of the Plan:

SAFE AND SUSTAINABLE LIVING Development will only be permitted where it would:

- a) not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality....

The impact on neighbouring properties will be huge particularly on "the Firs" which is listed on the index of "buildings of local interest" by the council and has been very carefully preserved by the current owners.

Over recent years a number of homes on Battledown have been replaced by properties with a larger footprint and significantly smaller gardens/green space. The water flow is stretching the infrastructure of the Estate and causing issues with drainage for properties lower down the hill. The block plan submitted appears to show that over twice as much of the land will be covered by buildings and hard standing. Therefore, as the owner of a property on the lower slopes of Battledown Hill I also object on environmental grounds.

Field House  
Ashley Road  
Cheltenham  
GL52 6PH

9<sup>th</sup> July 2022

Dear Miss Payne

22/01101/FUL

Proposal: Proposed replacement dwelling (revised scheme of planning permission Ref: 21/02329/FUL at Sangria, Ashley Road, Cheltenham.

We refer you to our previous letter dated 23<sup>rd</sup> February 2022, in which we objected to the planning permission as above.

The revised scheme is no better than the previous one and in fact the ground floor has been extended to the east and the west, and the increase in size of a bedroom and the patio means that the replacement dwelling will overlook it's three neighbours even more.

There is little or no plan for storm drainage, which could cause flooding to the houses and gardens below. We know this occurs having lived here when one of the houses below us on Stanley Road had rain water running through their house from the back to the front.

We continue to object to the revised plans as above as it is not in keeping with the Road and is much too large.

We would be grateful if our previous letter is available for the Planning Committee to see.

Yours sincerely,

