

<b>APPLICATION NO:</b> 22/01441/FUL	<b>OFFICER:</b> Miss Michelle Payne
<b>DATE REGISTERED:</b> 10th August 2022	<b>DATE OF EXPIRY :</b> 5th October 2022
<b>WARD:</b> Pittville	<b>PARISH:</b>
<b>APPLICANT:</b>	Mr and Mrs Leach
<b>LOCATION:</b>	10 Selkirk Street Cheltenham Gloucestershire
<b>PROPOSAL:</b>	Erection of 1 no. three storey self-build dwelling on land adjacent to 10 Selkirk Street

## REPRESENTATIONS

Number of contributors	<b>28</b>
Number of objections	<b>18</b>
Number of representations	<b>0</b>
Number of supporting	<b>9</b>

9 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HJ

**Comments:** 30th August 2022

We object to this proposal on the following grounds:

### 1 The Development

The proposed building does not fulfil the requirements of a sustainable development within the Council's own definition and application to this street and surrounding area:

- It would occupy the only green space left in Selkirk Street and would involve removing a garden - infill which contravenes existing Council guidelines;
- It does not 'complement or respect neighbouring development and the character of the locality'. It is entirely unsympathetic to the current dwellings on the north side of Selkirk St and appears to ignore the historical nature of the south Selkirk St terrace.
- Its only apparent green credential apart from building materials is the provision of an external three-pin socket to recharge electric bikes etc. (which the No 10 proposer appears not to own).

### 2 Parking

The owner of No 10 and proposer of this development makes no provision for parking within his submission and yet owns and currently parks three vehicles, one of which is a works van which (occupies one and a half car spaces).

#### - Increased parking congestion

I understand that using the green space on which he hopes to build as current parking for one of his vehicles is prohibited and he has already received a site visit from Gloucestershire Highways who have made this clear. This will inevitably exacerbate the demand for street parking when he parks it on the street (using a visitor permit). It would be made significantly worse when he either sells or rents No10 Selkirk, his current home, and the new tenants/owners also require street parking;

- Lack of parking provision within the site

This proposal makes no provision for parking. It would make the property unique within the context of north Selkirk Street as every house from No 18 onwards, irrespective of the date of build offers parking (and in the case of one house the potential). Whilst the Council is actively reviewing parking in this street and surrounding Zone5 to ensure residents can access adequate on-street parking, it makes no sense for this proposal to escape their scrutiny.

### 3 Access

Selkirk Street is a relatively busy thoroughfare made more so with the need for delivery drivers to temporarily stop their vans in unregistered parking. The proposed development for the whole period it is active would significantly increase heavy goods deliveries along with the arrival of earthmoving equipment onto a site which has no storage provision. The likelihood is that he will seek licences to store materials and skips in the current parking bays on the street - thus removing parking for residents.

As a self-builder, the proposer is also gainfully employed and it is very likely this would extend the period of development. The impact both on access along the street for larger vehicles and parking will be beyond vexatious and potentially dangerous as goods are loaded and unloaded.

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Cheltenham  
Gloucestershire  
GL52 2HJ

### **Comments:** 14th September 2022

I strongly object to this application for the following reasons:

1. The design of this building is completely out of keeping with the other houses on this street. Although there are more modern properties on the north side of the street, none are similar to this design, which is extremely ugly and unattractive. The houses opposite this site are extremely attractive period properties, offering a very pleasant outlook for the applicant, which is in contrast to this house. I live opposite and would not want this to be the view from my home. Selkirk Street is a lovely street with many older houses and this would be totally out of place.
2. The proposed balcony overlooks my home and would impact significantly on my privacy.
3. There have been comments that the current green space is overgrown. In fact, it is just a rather bare patch of grass but it could be a lovely garden.
4. There would be a significant impact on the already constrained parking in this street.
5. I understand that this would be a self build, so would take a significantly long period of time to complete and would mean potentially years of noise, dust, disruption and traffic. It is likely to also mean noise at weekends and in the evenings, impacting on the quality of

life of those of us who live nearby. I live opposite this site and working from home would also be significantly impacted.

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Cheltenham  
Gloucestershire  
GL52 2HJ

**Comments:** 13th September 2022

Objection on the grounds of proposed plans not in-keeping with surrounding properties. Parking already an issue on street, despite paying for permits, often have to park streets away from house. 3 bed house likely to bring x2 additional cars to the street. Balcony overlooking window of houses opposite is intrusive to those properties. To my knowledge there are no balconies on any of the properties on Selkirk Street, therefore not particularly in-keeping with the nature of the area and Pittville itself.

Larkspur House  
Pittville Circus  
Cheltenham  
Gloucestershire  
GL52 2PX

**Comments:** 14th September 2022

The following comments, which have been made by a professional architect, demonstrate that the proposed self build dwelling does is poorly designed in many respects and does NOT comply, with the Councils Policies for development on garden land.

**BACKGROUND**

The application is for a new 3-storey house within the garden to the side of 10 Selkirk Street. No.10 is a two-storey house with a basement. The basement was granted consent to be converted to a separate dwelling under application reference 86/01269/PC and has subsequently been converted to a self-contained flat with access from the rear garden of the main house via steps in an open well. There is no record of a Building Regulation application having been made for the works involved in the change of use. It is evident that the basement flat has been separated from the main house, and is believed that it is no longer owned by the applicant. The application form does not indicate whether the owner of the flat has been given requisite notice of this application under Certificate A as either a freeholder or leaseholder.

**DEVELOPMENT ON GARDEN LAND AND INFILL SITES SPD 2009**

The Council uses the following minimum distances in determining privacy for residents 21metres between dwellings which face other where both have windows with clear glazing, 12 metres between dwellings which face each other where only one has a window with clear glazing The proposed house will be 3.5metres from the boundary wall and the house to the rear is a further 3.9metres beyond this and with a window facing towards the new house . The proposed house does not meet the requirement for privacy between neighbours. Windows to the first floor bedroom, bedroom 1, directly over-look the glazed doors to the south west face of Larkspur, based on a viewing level 1.4 m

above the floor level, would be able to view these doors from floor to head. To both sides of the new house there are windows of the existing properties facing onto the existing open space. The proposed house will be within 2.0 m of the side facing windows to No.10 and within 1.0 m of the side facing window to No.18 The proposed building is indicated as 9.1 m high to the eaves and with solar panels raised above this height. It is south-west of Larkspur to the rear and would shade the house and garden from around 1pm each day and throughout the year. It would also shade what would be left of the garden to No.10 all day. Sound privacy can also be an issue: you should always consider location of noise generating activity when preparing your design, and the use of construction materials which provide noise attenuation. The small rear garden to the proposed house would be adjacent to the principal entrance to the garden of Larkspur. The hard surfaces of the new building and the existing brick boundary wall would undoubtedly cause loss of privacy between the two houses.

**GREEN SPACE: CHELTENHAM BOROUGH LOCAL PLAN SECOND REVIEW:  
ADOPTED JULY 2006 POLICY GE 2 PRIVATE GREEN SPACE**

Objectives O12 and O18: The development of private green areas, open spaces and gardens which make a significant townscape and environmental contribution to the town will not be permitted 2.20. Of particular relevance is Local Plan Policy BE1 (Open Space in Conservation Areas) which states that development will only be permitted where it does not detract, individually or cumulatively, from the green or open character, including private gardens, of the area JCS 2017. The proposed plot of the new house is indicated as approximately 18m x 7.4m, an area of 131m<sup>2</sup>. The ground floor plan of the proposed house, measured from the submitted drawings, is 59.8m<sup>2</sup>, a coverage of 45.6% of the site. The loss of the private green space to the existing house will be more significant in that the plot coverage will be increased to 55.9% (when the brick shed to the rear, and the light-wells to the basement flat are included). This retained open space is shared with the basement flat as the access path passes through the garden to the rear of the house.

**POLICY CP4 SAFE AND SUSTAINABLE LIVING** a) not cause unacceptable harm to the amenity of adjoining land users and the locality. The proposed dwelling is indicated as 3.5m from the boundary wall. On the other side of this wall 3.6 to 3.9m from the wall, is a two-storey house which is predominantly a brick faced elevation with a pair of fully-glazed doors to the ground floor. The boundary wall is indicated on the applicant's drawing at 2.4m high.

**POLICY CP7:** Design a) is of a high standard of architectural design b) adequately reflects the principles of urban design c) complements and respects neighbouring development and the character of the locality and/or the landscape. The scale and design of the proposed house is not in keeping with the adjacent properties. The parapet height greater than that of the terrace to the south-east No 18 and the eaves height of No 10, and the roof height is above that of neighbouring houses and above that there will be solar photovoltaic panels. Window sizes and proportions are significantly different from any other part of the street. The drawings do not show the context of the proposed house with buildings to the rear and across the road, and are therefore misleading in their comparative scale and proximity with other homes. They do not clearly show the extent of shading and over bearable of the neighbours. Particularly relating to No. 10 and larkspur which will be most significantly affected by this proposal. The form of the roof with large areas of flat roof, with balustrade to the front elevation, is not seen in any of the neighbouring buildings. The balcony to the front of the house would over-look building on the opposite side of the road. The drawings do not indicate boundary treatment or any of the proposed landscaping. The Design and Access statement clearly states that the applicant intends there to be two bedrooms to the second floor. The third bedroom to the rear has a high level window, which would create an inappropriate environment for a

bedroom, with no view from the room. Alternatively it would be over-looking the neighbouring garden. This would not be considered to be good design in any sense. The statement also notes that the rear facing windows would have "obscured glazing or external louvres for windows which present the potential for over-looking". Neither of these options would provide certainty that privacy for Larkspur would be maintained at all times. Windows can be opened as can louvres.

#### **PARKING**

No parking provision is made with this application. The addition of a house on the street will further exacerbate the current lack of parking spaces on the street. Parking permits are not limited to one space per household and the number of permits generally exceeds the spaces available. Any uplift in numbers of houses will result in more competition for the current parking spaces. The cycle storage is to the rear of the house, which does not appear to be secure as there is no gate or boundary enclosure indicated on the plans. The store is at the furthest point from the road and would be better positioned to the front of the house for convenience and to encourage more frequent use.

#### **Comments: 18th August 2022**

Further to my comments, I would like to add that in order to build this proposed new 3 storey house, the builder has abided by the privacy constraints at the rear. However as a result the view that I would look out onto both from inside and outside my house would be a very tall, incredibly ugly, hugely light stealing concrete block with some kind of metal appendage. It should not be permitted in its present form, or be allowed to be built so close to my premises.

#### **Comments: 30th August 2022**

In summary, this is a very modern/contemporary proposal which clearly clashes in many ways with what is an obviously historic environment with important designations by the Council for the area generally and individual buildings in the street. The proposed building comprises a 'boxy' design approach, on a free-standing building, which is not found elsewhere in the street, so would immediately appear visually incongruous. The open nature of the site would be lost, conflicting directly with Council Policy. Views of the flank wall of no.10 would be largely obscured by the proposal, at odds with the Council's identification of this as a 'positive building' in the Conservation Area, and also interfering with the setting of the adjacent no.s 18-64 which are identified by the Council as one of many in the street judged to be a 'significant neutral building'. There are also statutory Listed Buildings in close proximity on the south side of the street, whose setting would be impaired by such visually discordant / jarring development of this open land.

The inappropriate design features/impacts include;

- high level panoramic glazing on the front elevation conflicting with the heritage character of the adjacent buildings and the area generally, where windows would usually reduce in size on upper floors;
- high level front balcony area which is alien to the street generally and would result in excessive overlooking and disturbance to dwellings opposite;
- compromised side elevation windows to no.10 and no.18, the former involving windows to ground floor kitchen and hall, and first floor bedroom ( the sole window to this room ) and bathroom;
- seriously adverse impacts on the amenity and privacy of the patio doors and garden of the dwelling immediately to the north from: overlooking and/or perceived overlooking from seven proposed north facing windows/doors/openings ( no north facing first floor windows to no.10 currently ); lighting from same; overbearing impact due to close

proximity to the boundary; overshadowing ( see Google Earth image of shadow of street tree, the proposed building would be located much closer ); noise impacts from close proximity of window and door openings to boundary.

In the light of this assessment it is necessary to consider the proposal against the legislation and guidance which requires that planning applications are determined on their own merits and in accordance with the Development Plan for the area unless material considerations suggest otherwise. There is also a presumption in favour of sustainable development.

The Development Plan comprises firstly the Core Strategy and secondly the Local Plan. The Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury Adopted December 2017 addresses strategic-level planning issues for the area:

Whilst the CS lends support in principle at page 61 Policy SD10 4(ii) for residential 'infill' development within the built up area the proposal clearly conflicts with other strategic policies. For example Policy SD4 (i) Context Character and Sense of Place which requires development to respect its surroundings, be of appropriate scale and having regard to the historic environment; also Policy SD4 (iii ) Amenity and Space requiring visual intrusion to be avoided; and Policy SD8 Historic Environment requiring development to make a positive contribution.... having regard to valued and distinctive elements of the historic environment.

For the above reasons the proposal can reasonably be said to conflict with these Core Strategy Policies.

The second component of the Development Plan is The Cheltenham Local Plan, Adopted in July 2020. This is more relevant at the local level.

[https://www.cheltenham.gov.uk/downloads/file/8169/cheltenham\\_plan](https://www.cheltenham.gov.uk/downloads/file/8169/cheltenham_plan)

There are several relevant policies in the Local Plan. On page 20 Policy D1 'Design' requires that 'development will only be permitted where it complements and respects neighbouring development and the character of the locality...' The proposal clearly fails to meet these requirements for the reasons given above.

On page 23 Policy D3 'Private Green Space' which states 'The development of private green areas, private open spaces and private gardens which make a significant contribution to the townscape and environmental quality of Cheltenham will not be permitted.' This is a strongly worded policy which is unequivocal about private garden development - it will not be permitted. This is a strong ground for refusal on its own.

Paragraph 5.19 of the Plan provides background to the policy and leaves no room for doubt that garden development is regarded by the Council as inherently harmful to the character and amenity of the town.

There are therefore clear Policy grounds in the Core Strategy and Local Plan for the Council to refuse to grant planning permission. In addition there are a number of 'material considerations' which must be taken into account by the Council in its decision making.

There are three such considerations:

Firstly, The Fairview and All Saints' Character Area Appraisal and Management Plan' was published in July 2008 for this part of the Cheltenham Central Conservation Area.

[https://www.cheltenham.gov.uk/downloads/file/3173/16-fairview\\_and\\_all\\_saints](https://www.cheltenham.gov.uk/downloads/file/3173/16-fairview_and_all_saints)

The Character Appraisal Map on page 1 confirms that no.10 Selkirk Street is judged by the Council to be a 'positive building' in the Conservation Area, and the adjacent no's 18-62, are judged 'significant neutral buildings'. On the south side of Selkirk Street the majority of the dwellings have 'positive building' designation and there is also a group of Grade II Listed Buildings.

Page 21 of the document states at paragraph 5.23 that such designated buildings 'make a positive contribution to the character and appearance of each character area....' The setting of the Listed Buildings also enjoy statutory protection.

Although dating from 2008 this document remains valid today as a Supplementary Planning Document. It is clear that the entire street is regarded by the Council as having notable character and appearance as well as architectural and historic interest through the Conservation Area and Listed Building designations, and the heritage-based identification of virtually every building in the street. Again for the same reasons given above the proposal can be judged as conflicting with the requirements of the Conservation Area Appraisal.

Secondly, in June 2009 the Council published 'Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document'

[https://www.cheltenham.gov.uk/downloads/file/3213/development\\_on\\_garden\\_land\\_and\\_infill\\_sites\\_in\\_cheltenham\\_supplementary\\_planning\\_document](https://www.cheltenham.gov.uk/downloads/file/3213/development_on_garden_land_and_infill_sites_in_cheltenham_supplementary_planning_document)

Page 12 includes 'Key policies for garden land development' within which Policy GE2 Private Green Space says 'the development of private green areas... will not be permitted'.

Policy GE2 strongly supports Local Plan Policy D3 noted above, and together they clearly express the Council's intent to resist applications for garden development. Combined with the Conservation Area Appraisal information as above this amounts to a strong reason for refusal. This is a parcel of land which clearly fails the published Policy tests on both Conservation Area and garden development.

Thirdly, the planning history of the site demonstrates that the Council has consistently refused proposed development of this site where it would adversely impact on the interests noted above:

Application 03/01241/FUL refused for a dwelling on the site.

Application 03/01589/FUL refused for a first floor extension to the dwelling.

<https://publicaccess.cheltenham.gov.uk/onlineapplications/simpleSearchResults.do?action=firstPage>

In the refusal for the proposed dwelling the Council judged the site to be 'one of the last remaining areas of open space in Selkirk Street. The area of open space represents an essential characteristic of this densely built area. The proposed dwelling.....will result in the loss of this open space to the detriment of the character and appearance of the street which lies within the Central Conservation Area'

In the refusal for the first floor extension the Council judged the proposal to 'serve to disrupt the simple composition of the original building by the addition of a discordant and alien feature...contrary to government guidance and the Structure Plan and Local Plan'.

These two previous decisions at the site are very significant. Nothing has changed since those decisions in terms of planning policy or the physical nature of the site. The acknowledged importance of the open quality of the site, and the building itself, in the Conservation Area are such that the Council could not now reasonably arrive at different decision. In addition there are obvious adverse impacts on the dwelling immediately to the north of the site which can properly be included in a refusal of permission for the current scheme.

The Council's online record indicates that neighbour notification letters give until 1 September for comment and the Site Notice until 15 September. The Council will not be able to determine the application before the latest of these dates has expired. The decision could then be made by Planning Officers under delegated authority or by the Planning Committee ( or another equivalent designated Committee ).

**Comments:** 26th October 2022

Larkspur House, Pittville Circus OBJECTS

I have reviewed both the second and third amended plans to erect a three-storey house. The amended plans do little to alleviate any of the serious issues raised in all previous objections. Detailed comments follow.

The Cheltenham Plan and the National Planning Policy Framework (NPPF) state in Policy D1 under design that building will only be permitted if

- a. it adequately reflects principles of urban and architectural design.
- b. Complements and respects neighbouring development and the character and the locality and / or landscape. And under Extensions or alterations (and surely the same rules should be applied to new build it states:)
- c. Causing harm to the architectural integrity of the building or group of buildings
- d. Unacceptable erosion of open space round the existing building.

This proposed building still fails to meet any of these criteria.

In Policy D3 on PRIVATE GREEN SPACE makes the point that development on a private open space/garden which makes a significant contribution to the townscape and environmental quality of Cheltenham will not be permitted. Many Selkirk St. residents have stated that it does indeed do this and several of them remember it being a beautiful garden which they enjoyed as they looked out of their windows or walked past. In 5.17 para 53 of NPPF it states that Local Planning Authorities should "resist inappropriate development of residential gardens e.g where development would cause harm to the local area". This plot has indeed a significant "environmental value" and contributes to the "quality of the local townscape and established character of the locality" Planning applied for in 2003 was rejected immediately and this was one of the grounds.

Policy GB1 on RESIDENTIAL INFILLING is designed to contribute to the Cheltenham Plan Vision concerning its architecture heritage. The Development Plan sets out high level objectives and aspirations that aim to conserve what is "valued and cherished" within Cheltenham and to promote the PUBLIC INTEREST" Planning laws require applications to be determined in accordance with the development plan. This plan has an environmental objective to "protect and enhance our natural, built and historic environment" In the Conservation and Management Plan updated in line with the NPPF in 2018 states "the local distinctness, identity and sense of place that this residential area creates is valued by the local community and any new house should enhance its context". For this reason there have already been more than 17 objections from residents living on Selkirk St or nearby.

This proposed building does the exact opposite of enhancing. It is out of character with the rest of the road and even taller than the modern houses to its right. All the houses facing it and all along this road on one side are attractive early Victorian dwellings, considered valuable in this conservation area and with some of them listed buildings. This new build would be overbearing, overlooking, and dominating on all sides. It is an overdevelopment of site and there is no green space offered, just a small North facing patio at the rear measuring 26.25 sq m. It is current housing policy for all new builds to provide a significant green space of at least 50 sq m for 3 bedroomed properties. Green space is recognised as important for mental wellbeing and sustainable living and a

safeguard to promote biodiversity. Note that this very small patio would be in shade for most of the day.

Furthermore, this proposed development would damage the existing 10 Selkirk St, itself a Victorian semi-detached family dwelling with the basement owned separately since 2014. The character appraisal map confirms that 10 Selkirk St is judged by the Council to be a "positive building" in the conservation area. This proposal would deprive it of all green space except a small patio at the rear of 26.25m square reduced to 21.35 sq m because of the recent addition of a brick-built shed attached to the boundary wall. This old wall dates to 1848, originally belonging to Northlands, now belonging to Larkspur House. Damage to this old wall is of concern to the owner who has already spent money to maintain it. The new build would oblige the owner of the basement 10a to access his property by means of walking down a narrow, dark passageway less than 1m wide. All 3 windows in the side wall of Number 10 and the remaining patio will be deprived of light.

Number 18 would forfeit the current green space to its right which would be replaced with a very tall protruding wall, built exactly on the boundary line only 1.2 meters away. It would also be circa 3.1m (10 ft) further forward of number 18 and its back patio, already quite shaded, would further be compromised by noise and privacy issues. Larkspur House is just 3.6m behind the boundary wall and the proposed building is only 7.6m meters away, making it fail the 21m or even the 12m building regulations for proximity. There is loss of outlook, loss of privacy, and potential disturbance from noise, smells, dust, vibration, and glare from artificial lights

The proposed building is about 6.3m wide and is over 9m tall and would tower over Larkspur causing the summer room, dining room and garden to be in shade much of the day and this constitutes unacceptable harm to the amenity of adjoining land users.

Furthermore, in the latest amended drawings the bedroom windows on the first floor are stipulated as "obscured windows" and "fixed louvres". The fixed louvres would still allow a direct view into Larkspur House and its small private garden. The original plans specified obscured glass which should have overcome this problem. The risk of overlooking is considerable, plus the loss of sunlight, daylight, see BS 8206(1992) code of practice for day lighting. This proposal is therefore very damaging to Larkspur House.

Turning to the proposed new build itself:

The Design and Access Statement is just not feasible. The street scene presented appears to show all houses (including the proposed new one to be built on the garden) as if they are all in a neat row. Number 8 and 10 are only 10 feet from the pavement whereas number 18 is 25 feet from the pavement. The 15 feet appear to be unaccounted for, but this will make the Street look very uneven.

It is noted that no cars are drawn on the street scene alongside the proposed new build when in fact there is resident car parking along both sides of the street. Historic England emphasises quality of design in conservation areas, yet this design proposes to break planning policy, provide rooms with no views or very limited views out and a visually unattractive window projection / surround to the first-floor windows to the rear. On the second-floor high pressure exterior laminate plate is being suggested on every wall- a cladding which is not guaranteed for more than 10years and which is totally out of keeping with the buildings around. Occupants across the street and two grade 2 listed buildings Northlands and Terhill will be faced with looking out at this.

**Comments:** 18th August 2022

I wish to object to the planned proposal to build a 3 storey house on the grounds of 10 Selkirk Street.

this represents a gross over development of the site.

The planned house is not in keeping with the victorian premises it belongs to. The only way it can be profitably built, presumably to sell, is to make it 3 storeys, but this is at the expense of my light into my sunny garden (which I have spent considerable time and money landscaping)

it is also at the expense of my privacy, as the middle floor windows can look directly into my front and back garden.

The proposed back patio will abut right onto my party wall so I am concerned about increased noise and also lack of privacy when I am in the garden.

Visually it will be an objectionable block, just as the appalling building to the front of the premises now blocks out my views from any upstairs windows.

Considering there is also building going ahead in the house next door I will be besieged by building noise for months and possibly years to come. I note that Northlands was successful in objecting to the obstruction that a second floor would have on their sunny garden and this is a proposed 3 storey!

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Cheltenham  
Gloucestershire  
GL52 2HH

**Comments:** 8th September 2022

I wish to object to the planned proposal to build a 3-story house on the grounds of 10 Selkirk Street on the following grounds:

**Appearance and green space**

The scale of the property appears from the plans to be disproportionate to the site. It is too big, too high and takes up too much of the greenery on the site. This is a conservation area and according to the Supplementary Planning Document (July 2009) entitled 'Development on Garden Land and Infill Sites in Cheltenham', infill buildings should 'give priority to the use of previously developed land and conserve/ enhance natural resources.'

It also appears to be right up against the property behind the plot and would no doubt block their light. People argue that that the current space is not attractive and appears neglected. I am sure it would not be like that if it had been taken good care of. It deserves better. Not sure that building a large house on it is the answer.

**Parking**

I have lived in Selkirk Street for some 16 years and in the last 3 or 4 years the parking has become increasingly difficult. It is now at breaking point within the street, within absolutely no guarantee that if I go out in the evening, I will return to find a place on the street, let alone, close to my house. As it is, I am very reticent to go out at night, as when I return, I have to park several streets away and walk home alone in the dark. I pay for a resident's permit, however, am forced to hunt around the adjacent streets for anywhere where there may be a space. A new 3-bedroom house with additional residents and no

additional off-street parking, will bring along more cars and will add to an already impossible situation. I wonder where the skips and delivery lorries will park if building were to get underway.

### Noise and Disruption

There have been multiple house renovations within Selkirk Street over the last few years, all bringing their own level of noise, disruption, and general difficulties for the local residents. I fully accept that people need to make reparations to their existing homes. However, building a new house from scratch will take this disruption to the next level. We can expect an influx of lorries, cement mixers, scaffolding lorries etc. Noise will be generated by scaffolding going up and coming down, cement mixers, planers, pneumatic hammers, etc. The close proximity of the construction site to the houses on either side will result in severe disruption for all local residents. A recent renovation close to my property resulted in £1000 of damage to my car from a scaffolding van. Experience has shown that self-build properties will take a lot longer to complete than having external builders responsible for the work.

### Mental Health

In the Supplementary Planning Document (referenced above) PPS1 it states that 'sustainable development is a core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone.' I feel that doesn't include me. Over the last few years, we have had an inordinate amount of building work going on within the street. I do not complain as I know that renovations are noisy and sometimes required.

However, as I work from home, (training people online) it will become impossible for me to work during the day whilst this new house is being built. In the past this has resulted in me in having to find local cafes etc where I can go to think, work, and find some peace and quiet.

With several months of more building work to look forward to, I worry that my home will no longer be a place where I can rest and recuperate and will certainly not be a place where I have any quality of life.

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Cheltenham  
Gloucestershire  
GL52 2HH

### **Comments:** 2nd November 2022

I strongly oppose the proposed "Erection of 1 no. three storey self-build dwelling on land adjacent to 10 Selkirk Street".

The objection is formed of the following reasons:

#### 1. The Design of the Building:

The current design of the building is not in keeping with the other properties on Selkirk Street. Whilst I understand 18 - 24 Selkirk Street are all more modern builds than those on the South side of the street, they at least have made attempts in their design to match the rest of the neighbourhood. In contrast, the proposed design for the dwelling adjacent

to 10 Selkirk Street has very little in common with any houses on either the North or South side of the street.

**2. Compounding of Parking Issues:**

Selkirk Street already suffers from an issue with parking. Most residents along the South side have no access to off-street parking, and it is obvious that residents of Selkirk Street must compete for parking, especially if working non-conventional hours. The erection of a house adjacent to 10 Selkirk Street will remove the on-street parking directly in front of the structure. This will further compound the parking issues along the street.

**3. Reduced Sunlight Exposure to 18 - 24 Selkirk Street:**

The space where the dwelling is to be built is currently one of the only means by which sunlight reaches the small gardens to the rear of 18 - 24 Selkirk Street. The large design of the structure, combined with the increased height of solar panel use, will cause this already limited exposure to diminish further. This will impact the quality of life of the residents of these addresses by limiting their ability to make use of their outdoor areas.

**4. Boundary Between Proposed Dwelling & 18 Selkirk Street:**

The proposed drawings do not accurately portray the reality on the ground. The erection of this property adjacent to 10 Selkirk Street will be incredibly close to the properties to both the East and North of its location, imposing upon its neighbours. The street will lose one of the last elements of greenery in exchange for a dwelling too large for its location.

Flat A  
Northlands  
Pittville Circus Road  
Cheltenham  
GL52 2PX

**Comments:** 24th August 2022

Having viewed the plans for the above dwelling I strongly object to this proposal on the following grounds :

- 1) It represents an intrusion into the privacy of Northlands with windows overlooking my home.
- 2) It will place most of the garden at Northlands in shade
- 3) The dwelling and No.10 Selkirk Street will have no on site car parking spaces
- 4) The building itself appears to me to be extremely ugly.

29 Russell Street  
Cheltenham  
Gloucestershire  
GL51 9HJ

**Comments:** 31st August 2022

I regularly visit Selkirk Street on my walk to work, in recent months I've found the wasteland at number 10 not conducive with a Cheltenham street. We should embrace new buildings as they are the future. I understand there are some issues with parking however I also know that some people have off-road parking and don't use it, making the problem worse. I note from the plans that the building will meet all 22 current regulations and all the glazing to the rear is obscured. Therefore, any comments regarding being overlooked are not relevant. I understand that people have problems with embracing new things but we have to move forward and build the future.

27 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HJ

**Comments:** 16th September 2022

1 Too much for that location.

V limited parking as is. Close to two junctions on a residential street and would cause massive disruption during build.

2 Unfair on neighbours. Would block light to their properties.

3 Out of keeping with the listed. Buildings in the street

4 No parking available for the extra cars

25 All Saints Road  
Cheltenham  
Gloucestershire  
GL52 2EY

**Comments:** 1st September 2022

I walk this area and have noticed pockets of contemporary living which seems especially popular in urban areas. Suggesting that the last open space in Selkirk Street is this Plot, suggests that everyone is agreeable to sharing their garden space! Which I am sure they are not. The houses to the North of Selkirk Street are all different and this new house would only make a modern difference to the future.

Flat 5  
59 Queens Road  
Cheltenham  
Gloucestershire  
GL50 2LX

**Comments:** 1st September 2022

Objections:

1. Adverse visual impact on positively contributing buildings: The "positive" semi-detached villas 8 and 10 stand proud on the streetscape of Selkirk Street as a consequence of having ample side garden on both sides. There is some infill development at No 6. However, this development is very much set back on the plot and does not therefore detract. The contemporary new build as proposed clearly will detract and is incongruous.
2. Inappropriate contemporary design in context: There may be a case for contemporary new build in the conservation area in some contexts. A solitary three-storey contemporary infill development in a street of traditional pitch-roofed houses is surely not such a case. Further, the limited recent infill development that does exist in the area is all one or two storey brick construction with pitch roofs and has been designed to be visually subservient to the dominant period buildings
3. Loss of valued open space and outlook in the conservation area
4. Overbearing aspect and insufficient distance to Larkspur House and private garden. The local area is characterised by dwellings with long rear gardens. In cases where dwellings do have short courtyard rear gardens they generally abut open driveway space at the back.
5. Failure to consult neighbours. This is against good planning practice and good relations.

33 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HJ

**Comments:** 10th September 2022

I object for several reasons

- The proposed house will be too close to the houses on both sides, and the rear, and privacy will be seriously invaded. While the self builder lives in one of these properties, and will not worry, any future owners of any of the three properties will be very affected. It would be wrong to permit such proximity.
- The design is not in keeping with a sedate Cheltenham area.

- The parking situation in Selkirk Street, as I know, is difficult and will be made worse. The length of time for a self-build of this size (?3 years) is too long to allow delivery trucks, and tradesmens vans to block park spots.
- The trees, especially the lime tree, are not drawn in the correct places on the sketch. To build a house so close to the Lime Tree, and the electrical/telephone junction boxes will give the impression of botched planning approval. Never mind the tree shedding leaves interfering with the house, as mentioned by the Tree Officer

**Comments:** 23rd October 2022

Revised drawings do not appear to change the proximity of the proposed dwelling to the two neighboring properties. There would be significant intrusion of privacy and removal of light. There would be no change to the ongoing parking difficulties,

The Coach House  
Selkirk Close  
Cheltenham  
Gloucestershire  
GL52 2QN

**Comments:** 12th September 2022

Within 6 months of it being built nobody will notice unless it is hideous and im sure in this case it will be built to high spec.After all all our houses had to start somewhere.Nobody likes change and it will tidy the gap up that is there now.

7 Jacobs Close  
Tetbury  
GL8 8RE

**Comments:** 11th August 2022

No issue to residential in principle.

Overall, I like the modern design that I do feel will enhance the character and appearance of the Conservation Area. It will provide a missing element. The only couple of points I wonder about are:

1. Whether the ground floor window should come down lower, like the adjoining bays. I say that as looking at the street scene and the elevation it 'jars' a little with me, being so horizontal.
2. I do not think that there is unreasonable overlooking across the Street, as it is not significantly different to other properties. That is the nature of inner urban area built form. Therefore, in my view having obscured glazing, except on the balcony balustrading would not be needed.

Any rate I leave it to the Conservation Officer/case officer and the applicants to iron out any alterations, once any comments are received from those nearby the proposed house.

Whatever happens, please keep the concept of a modern design.

18 Glenfall Street  
Cheltenham  
Gloucestershire  
GL52 2JA

**Comments:** 5th September 2022

Firstly I have only become aware of this proposed application via neighbours as I have not seen any publicly displayed notifications at the property? This is a concern that the public and neighbouring property owners have not been adequately consulted on this application.

My concern is that this is a very large development, 3 storey in a what is already a very crowded street. There is already many issues with parking and also with waste collection from residents in Selkirk street impacting adversely on Glenfall Street. No 10 is already a good sized property and once again this would seem to be a desire to build a house for the wrong end of the market. We need small houses not large developments that are going to stretch the current parking and service providers of amenities. I am also dismayed that this size of property is allowed so close to neighbours who currently have a south facing garden and who will lose all light as a result - is this not an infringement on their rights to light and use of their garden? I object strongly on both counts above and would ask that local people are consulted and a more reasonable plan submitted that does not impact so badly on neighbouring properties.

The Willows The Green  
Ashleworth  
Gloucester  
GL19 4HU

**Comments:** 1st September 2022

I visit Selkirk Street on a regular basis and after reading the Planning Notice I have looked at the comments on the planning portal. Whilst I acknowledge that anything new causes panic with some I feel that a new build on the overgrown plot would only enhance what is a rather drab street especially on the north side.

Parking has not been an issue on my visits as there is adequate free parking in All Saints Road especially at the end of Selkirk Street and it's what I would expect in an inner urban area. There doesn't appear to be a precedent from CBC regarding parking, no-one can expect to park on any road in the UK.

Some of the comments are foolish and after looking at the block plan I note that the people in Larkspur and Merino already live in the garden of Northlands House. With regards to the comment from Northlands, the properties numbered 18 to 24 Selkirk Street all have a direct view into Northlands, Larkspur and Merino, the new build has obscure glass in every window to the rear, (obscure meaning you cannot see out.)

I support wholeheartedly any project which improves an area and will most likely add value to the existing properties, I look forward to seeing the completed house.

2 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HH

**Comments:** 31st August 2022

If the residents of the proposed new house are entitled to have parking permits for 2 cars, parking on Selkirk Street would become even more difficult than it is already. The nearest available parking space now is sometimes in All Saints Road. There is simply not enough space for any more cars.

I am also concerned about the amount of heavy traffic and noise the building work will create which will be very disruptive to the lives of the residents of the street. As this is a self build project, this disruption could be prolonged and therefore very stressful. Presumably some existing parking will also be lost to skips and builders' vehicles during the project.

Stanbrook House  
Pittville Circus  
Cheltenham  
Gloucestershire  
GL52 2PX

**Comments:** 31st October 2022

Letter attached.

54 All Saints Road  
Cheltenham  
Gloucestershire  
GL52 2HA

**Comments:** 12th September 2022

I fully support this application which will remove an unsightly parcel of land and be replaced by a thermally efficient property designed for the future. Very important for our times, many of its neighbors will not be built to this standard. The applicant is known to me, as a reputable builder known for the quality of the build. The issues & fears of self-build and the long period it would take to complete are unfounded. People hate change, the local parking, I do not personally have a problem with. It does appear that Selkirk St residents are reluctant to change, if this attitude spread improvements would never happen. This is my view, the development can only enhance the area

4 Standish Gate  
Stonehouse  
GL10 3FB

**Comments:** 31st August 2022

Having read through some of the comments I am dismayed at the attitudes of people. I drive down this road daily, the houses on the side of the road that Number 9 is on have access to the rear, however they have turned what was parking into accommodation making the street overcrowded. Perhaps we ought to look at the historical planning permissions granted for all of those. As for further congestion there used to be a carpet/flooring company based in the street, vans stopped at all hours of the day. The North side of the road has little or no historical value and most of the houses have been built in the last 50 years so clearly No 9 would be better off living on that side of the street so he can look at the mock Victorian houses he thinks we should be churning out now. In terms of eco credentials we would all be better served if the South side of the street was torn down and more affordable and responsible houses erected in their place. With that said the proposal is nearly identical to the houses next door which have a terrace as well. It will be well insulated and will have less of an impact on society than those leaky old houses across the Road.

Hope it goes ahead as it will be better than an old piece of derelict land. Whoever said it's a garden obviously does not know what they are talking about!

1 Selkirk Street  
Cheltenham  
GL52 2HY

**Comments:** 5th September 2022

I very strongly object to the development of the proposed building on the garden next to 10 Selkirk Street.

There is already insufficient parking for the residents of Selkirk Street. This particular house has 2 cars and a very large White Van. They park one car on the land they are planning to build on and now we are very likely to have two more additional cars on an already over-subscribed road.

Many of the residents work from home and outside of this property are cable boxes and should they get damaged would cause no end of problems with no WIFI!

Heavy construction traffic will be operating in this area where cars are always parked on either side of the road. They will have to be moved at a huge inconvenience to everyone on the street whilst we try and find even fewer parking spaces. Not to mention the noise and constant skips taking up space, these cause so much noise when being delivered and picked up. The Road I expect will be brought to a standstill on many occasions during development. The tree outside the property will no doubt be damaged.

The light for the houses to the front and rear of the proposed property will be limited, not really fair on people who have purchased their properties. Not really the type of building that will fit into a conservation area not to mention even less space for our wildlife.

Allowing people to build in their gardens is a major problem in areas like this. The Glass house on Selkirk street was a garden grab and this increased the number of cars on the street please stop allowing this to happen.

Merino  
Pittville Circus  
Cheltenham  
Gloucestershire  
GL52 2PX

**Comments:** 31st August 2022

We live in a neighbouring property (Merino) and object to this application for several reasons. Firstly, a successful application here would represent gross imparity to the outcome of our own planning application earlier this year.

On 25 February 2022, in regards to an application to add a two-storey extension to our house (22/00145/FUL), we were advised by planning officer Daniel O'Neill that he could not support the application, or any compromise involving a second storey, due to the following reasons:

A) "Overdevelopment - the extension would occupy a significant proportion of the existing garden land which is already relatively small and tight. This would create a cramped form of development."

B) "Design - the side extension seems overly wide and a somewhat contrived form that fails to sit comfortably within the existing plot and the wider conservation area."

Given the planning officer's comments for a two-storey extension on an existing double-storey house due to 'overdevelopment', it is farcical that development of a brand new three-storey house in a cramped space just metres away would be allowed. The two-storey extension plans for Merino left a larger proportion of the site as green space than the proposed development on Selkirk Street.

The design of the Selkirk Street house is very utilitarian and unfounded in the entire neighbourhood, which is a conservation area. It could certainly be described as contrived. This should not be allowed.

Furthermore a three-storey development will block afternoon sunshine to the front of Merino and the communal areas around Northlands.

4 Winstonian Road  
Cheltenham  
Gloucestershire  
GL52 2JE

**Comments:** 9th September 2022

I support this new house being built. I frequently walk down this road and a home would be a far better sight than some derelict land that is not in use. All the houses to the north

of Selkirk street are mis- matched so adding a modern and attractive property will only be a plus. Living on a busy road full of houses, you will people always have people making extensions and 'upgrading' their properties so a few months of building work is to be expected living where we do.

I'm sure most people in the owner's situation would do exactly the same and make use of the land.

6 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HH

**Comments:** 1st November 2022

I question why the drawings submitted by the applicant do not show the brick outbuilding in the rear yard of No10.

The outbuilding is substantial enough to warrant gutters/downpipe and leadwork which is cut into the boundary wall. The architects have included much detail in their drawings .. it is curious they failed to notice a building which takes up a sizable portion of the small usable outside space which is left available to No10 under the new division of land proposed by the applicant.

Why does the application make no reference to No10a Selkirk Street which is a separately owned basement flat beneath No10: it shares access with No10 and also has a living room window facing the side of the proposed newbuild. The flat, being part of the same building as No10, will be materially affected by any building on the site yet the impact on this property isn't considered within the application.

The entrance to No10a is via steps at the rear of the property. To reach these, No 10a must share access with No10 along the side path. It follows that the amount of outside space remaining for the sole use of No10 would be limited to the small yard at the rear if the application is allowed. The THREE bed semi would have therefore have less outdoor space than the TWO bed newbuild which is proposed.

**Comments:** 7th September 2022

I object to the application.

I note from the Further Information page of the Council Planning site that the 'Expected Decision Level' for considering this application is Delegated decision. Given the number of objections made to date, and the nature of the issues raised by the objections, it is clear that the proposal is contentious and complex and therefore deserves to be considered by the full Planning Committee rather than delegated to a planning officer. A site visit is essential.

Scale, character and green space

The line drawings provided in the application are nicely done, showing light and airy buildings. But, the delicate line drawing 'versions' of a small section of Selkirk Street give a partial impression, moreover they serve to disguise the real scale of the proposed new property. And those very faintly drawn items rising from the rooftop.. solar panels? They project a good deal higher than any other buildings around.

'Protecting amenity' is a key consideration when considering planning applications according to 'Development on Garden land and infill sites in Cheltenham, Supplementary Planning Document June 2009', the document currently referred to by the Planning Dept for guidance. SPD 2009 3.16 and 3.17 describe how new planning applications will be considered in terms of the impact they would have on the amenities of other residents, that is, on other residents' abilities to enjoy the comforts and conveniences of their homes and their local area. This proposal conflicts directly with several specific elements of amenity as identified by Cheltenham Council in Box 6, Chapter 3 SPD 2009:

The mass of the building, when compared with the existing Victorian houses (Nos 8 and 10) dominates, even though these are substantial properties. The proposed design is big, and a number of its features further emphasise scale.

To have larger second storey windows is not the design norm for this area.

The high level glass balcony will pull the eye upwards from the street, as well as overlook/pose a privacy issue for the properties opposite.

Although not apparent on the street view, the plan shows that the new build would be on almost the same building line as the Victorian houses and therefore much closer to the pavement than the terraced properties. The new property would therefore appear higher to pedestrians because closer.

The new building would take up a large proportion of the total site. It would be only cms from the side boundary with the terraced properties (Nos 18 to 24). But more worrying for the neighbour to the north at Larkspur, the proposed building would almost fill the width of the open space as is now, and would tower to three storeys only meters from the rear boundary thus removing any chance of sunlight from the south. It would certainly not add to amenities of the properties to the north .. quite the opposite.

In short, the proposed 3 storey new build would dominate. It would tower over neighbours to the north, overshadow its Victorian neighbours, and because closer to the pavement would loom more than the terraced houses.

SPD 2009 further instructs designers to have regard to "character of neighbourhoods, streets and blocks". Neither the applicant's drawings nor the written descriptions show a true sympathy for the real and complete Selkirk Street. The designer has chosen the adjacent terraced block (Nos 18 to 24) as reference for his 'bespoke' solution, and on the drawings these do look sharp and quite attractive. What is not made apparent in the drawings are the tarmac and paved car parking areas which constitute the real frontages. The reality of the scene is that hard/artificial/built surfaces prevail with little natural/greenery. These more recent building developments on Selkirk St have served to eat away at the amount of "green" such that the north side and the end of the street closer to Albert Place now has very little relief from hard surfaces. The site of the proposed development is the only open green space remaining. It is not beautiful, it has to be said. But then no effort has been expended to make it so for the last several years. I understand that it was once a lovely garden and if tended could be so again.

The proposed 3 bedroom, 3 storey development is not an ugly design but neither, unfortunately, is its design and scale compatible with our street scene. It does not add positively to Selkirk Street. The real situation needs to be viewed and considered carefully by the Planning Committee. Drawings and written descriptions alone do not give sufficient or indeed a balanced portrayal of information for sound judgement to be made in this case. Come and have a look.

Parking

Competition for parking anywhere in central Cheltenham is fierce. Lack of adequate parking on Selkirk Street is a frequent topic of frustrated conversations amongst neighbours. Those who park easily in the daytime will find a very different situation between 5pm and 6.30pm. The prospect raised by this application of even more competition for the few available spaces has made for some very worried debates.

In the section of the Covering letter on Access and Parking the designer describes the excellent amenities of the location .. proximity of parks and the town centre, local buses etc. In the attached Design and Access Statement, Coombes Everitt Architects also describe these amenities. Those of us who actually live here are familiar with them. Yes, we can and do walk to, and enjoy the parks etc BUT almost all of us also have cars, and we need to park them somewhere.

The designer states on page 1 of the covering letter that the purpose of the application is to provide a new home for the owners of No 10 "for their own occupation." So, if and when the present owners of No 10 move to the new property, what will happen to the 3 vehicles which they own (one of which is generally parked on the land in question)? Are they really likely to get rid of them all and take to their bikes as the application implies? When No 10 is sold, is it likely that the new owners will not own one or more cars? An additional 3 bed property with no off-road parking would certainly add to the number of cars hunting for the scarce parking spaces on Selkirk Street. More pressure on parking should be resisted as against the interests of those living here now and in the future.

#### Safety and general disruption

The self-build process itself is of concern as I know from experience that self-builders do not work in the same way as a building company does, and such projects do tend to take longer. I'm aware the Planning Committee would not generally take account of the mental health wear and tear associated with planning developments, however, following the pandemic we live in a different world: people have contended with a lot and are changed. I argue that some account should be taken of people and the quality of their lives. The Council's own policy documentation has quality of life central to it! Indeed, PPS1 states, "Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone." Everyone .. people .. us, young and older who also live on Selkirk Street now. In addition to the appearance of a development, the ability for all the human beings here to function contentedly and in good health where we live, is what planning policy is supposed to be about. In reality, self-builders are not restricted to the usual working hours of the building trade, and jobs do tend to take longer. Experience has been that as well as daytimes, our evenings, weekends, and Bank holidays have been randomly and for long periods, disrupted by noise. The prospect of this for a full-scale building project extending for an indefinite period is more than worrying.

Other health and safety concerns are attached to the build process:

I'm concerned how deliveries of material would be managed safely and without causing major disruption, given that parking constraints currently exist on both sides of the street by the site. Costly accidents in relation to construction deliveries have occurred in the recent past.

I'm also concerned that the parking spaces directly outside the site would be rendered unusable for the duration of the build by deliveries and/or other work vehicles. It is hard to see how these spaces could be used as they are now, so the street would lose spaces and gain more demand. Presumably other builders involved in the construction work

would need to leave their vehicles somewhere locally, given there is no off-road parking available on site?

Given how much of the site is occupied by the proposed development, I worry how and where building materials would be safely and securely stored. The safety of people and adjacent property could be at risk here.

In summary, allowing this proposal to go ahead as it stands would be contrary to the Council's own principles as set out in documentation, as indicated. The design itself is inconsistent on several counts with the site and locale (SPD 2009), additional pressure on parking really should not be permitted, and the construction process would harm the quality of life of neighbours living closest to it. Finally, a previous application made in 2003 to build a detached property on the site was refused by the Council. The first of the reasons given was that its construction would "result in the loss of this open space to the detriment of the character of the street which lies within the Central Conservation Area." All very clear, and nothing about the reason has changed.

**Comments:** 15th September 2022

Addenda

I wish to emphasise a couple of points:

1. Reason two given in the Planning Authority's refusal of the 2003 application for a detached property on the same site draws attention to road and pedestrian safety (reason 1 is mentioned earlier and reason 3 no longer pertains.)

Reason 2 states: "The proposed development fronts onto a carriageway with street parking on both sides making the usable carriageway narrow, which in the opinion of the Local Planning Authority will result in difficult manoeuvring into and out of the proposed off-street parking area resulting in dangers to pedestrians and vehicular users of the highway."

Similar dangers to pedestrians and traffic (or even greater ones today, given increased levels of traffic and pressures on parking) would apply for the duration of the self-build process, in relation to transporting materials onto the site, for deliveries of materials, positioning of skips, etc.

2. A number of comments which support this application refer to the site, variously describing it as unsightly, derelict (x3), an overgrown plot and wasteland, at risk from fly-tipping and ant-social behaviour. They argue that the proposed building (any development, it seems?) would be an improvement on the present situation.

The land is certainly in a poor state with weeds growing quite tall. The supporting comments overlook or avoid pointing out a couple of significant points, however.

i) the responsibility for the unkempt state of the land rests with the owners of No 10 who have had ample opportunity to make the land presentable for several years.

ii) A far simpler solution to remedy the poor state of the land, and make a change for the better, would be to do some gardening on the plot ... much less costly in time, money and general hassle.

**Comments:** 21st October 2022

I wish to highlight an error in one of the documents submitted on 18th October.

A first look at the revised drawing submitted by Coombes: everitt architects limited, and titled Proposed new dwelling shows a significant error. To the bottom left of the sheet is a plan showing the ground floor of the proposed building together with the site layout and surrounding buildings, aiming to show the new build within the context of immediate neighbouring properties

The distance between the rear site boundary wall and the property to the north and rear (Larkspur) has been significantly exaggerated in this drawing. The effect of the exaggeration is to downplay how close the new build would be to Larkspur.

Specifically, Larkspur's wall and patio doors are close to the boundary wall at 2.9m. The yard to the rear of the proposed property measures some 3.5m from the boundary to the house wall. This would place the proposed 3 storey building approximately 6.5m from Larkspur's patio doors, and not as shown.

The drawing gives the impression that the buildings would be much further apart than in reality. The impression should be corrected.

The proposed 3 storey building being so close, would have enormous negative impacts on the amenities of Larkspur in terms of light, the visual imposition, privacy and noise with neighbours so close and with so little space themselves.

55 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HJ

**Comments:** 9th September 2022

Given the shortage of housing supply in Cheltenham and the use of a derelict piece of brownfield land, currently at risk from fly tipping or anti social behavior, I support the application. The street is diverse in character of housing on the Northern side and a modern, environmentally sound house would provide much a needed sustainable development within the community for a family close to existing schools and shops.

4 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HH

**Comments:** 15th September 2022

Parking can be difficult on the street (especially in the evenings). The concern is that an additional dwelling may increase this issue further in the future.

22 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HH

**Comments:** 9th September 2022

I strongly object to the erection of this proposed building. It's a modern design that is not inkeeping with the rest of the street, given this is a conservation area.

Parking is outrightly the biggest concern here, in an already over subscribed zone. For those of us that do have driveways, its difficult enough to pull out with various work vans blocking visually up and down the street. Visitors to the street also find it difficult to park, let alone the residence's of Selkirk street.

17 Selkirk Street  
Cheltenham  
Gloucestershire  
GL52 2HJ

**Comments:** 7th September 2022

I strongly object to the planning application for the land adjoining No 10 Selkirk Street.

Parking is a major issue and number 10 has a large van plus two other vehicles. Another dwelling will remove one parking place as stated in the application and could add another 2 or 3 to an already very congested street. I have one vehicle which I'm frequently required to park in an adjoining street, being an emergency shift responder I find this problematic already.

The building design is not in keeping with other properties near by. Although the 4 terraced houses to the East, are relatively new build (2003) compared to the houses across the street (1840s) they have been built sympathetically and with parking spaces. The proposed design is modern, taller than surrounding buildings with contemporary features and Trespameteon cladding panels in addition to a 2nd floor terrace. No other building in Selkirk Street has a terrace visible from the road. The amount of glass and cladding on a south facing frontage will result in a blinding reflection from the sun directed towards the houses opposite, The possibility of unsightly solar panels will add to the reflection directed towards properties opposite in addition to adding to the height of the building.

The disruption to local residents and the street with dirt and noise, caused by the build together with vehicles delivering materials will impact severely on the street causing further disruption to the lives of residents and the availability of on street parking. The street is also next to the driving test centre and as such, extra vehicles are parked whilst candidates take their tests and frequently use Selkirk Street as one of the routes.

**Comments:** 10th September 2022

In addition to my objection to the building of the property on the land adjacent to Number 10 I would like to bring to your attention that the objections raised are from residents within Selkirk Street and the residents directly behind where the proposed build will be.

All the supporting comments except one, which is from a Selkirk Street resident, are from people who do not live in Selkirk Street and some are from people who do not even reside in Cheltenham.

We do fortunately live in a country where everyone is entitled to have a voice but to support an application that will have no impact on their quality of life, their home or where they park their vehicle appears wrong.

**Planning Application Ref: 22/01441/FUL**

**Re: Erection of 1no. three storey self-build dwelling on land adjacent to 10 Selkirk Street**

I object to the proposed development at 10 Selkirk Street on the following grounds

**Overdevelopment** – as can be clearly seen from the appended photograph, the proposed development at 10 Selkirk Street would obliterate one of the last remaining plots of non-built up land in an area that once almost entirely comprised open-space town gardens. The photograph is telling. Inappropriate overdevelopment has already wiped out much of this former green-space. Infill of the remaining tract of land adjacent to 10 Selkirk Street would be a clear breach of the Council’s environmental objectives and obligations. The proponent’s claim that this is currently a brownfield ‘wasteland’ of no environmental value is a non-sense. The site is only semi-derelict because the current owner has failed to maintain and improve it.



*Photo of proposed development site as viewed from Stanbrook House showing already extensive infill building in what was formerly rear gardens. The one mature tree seen here would no longer be visible from this vantage point if permission were granted to erect a 3-story building on the proposed site.*

(Cont.)

## **Sustainability**

The proposed development would significantly reduce light capture in the existing property at 10 Selkirk Street and in adjacent properties at the rear of Pittville Circus, while in order to meet planning constraints the interior of the proposed new-build would also have very limited natural light. The proposed development would result in increased energy usage and a related negative environmental impact.

Building on one of the few remaining areas of natural drainage in this former expanse of town gardens would result in increased rainwater run-off. This would put additional pressure on an already compromised public drainage system.

The Proponent notes that the new-build would benefit from 'native hedging to be planted to the front boundary which will provide natural nesting opportunities for birds and general ecological benefit' (Proponent's Sustainability submission). While creditable, a short stretch of boundary hedging is likely to have negligible ecological impact. What would have more significant ecological and environmental impact is if this, one of the last remaining tracts of undeveloped land, was not built on but rather maintained as a garden.

Stanbrook House  
Pittville Circus  
Cheltenham  
GL52 2PX

Submitted to [www.cheltenham.gov.uk/publicaccess](http://www.cheltenham.gov.uk/publicaccess) by email 30 October 2022

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Ms Michelle Payne  
Cheltenham Borough Council  
Municipal Offices  
Promenade  
Cheltenham  
GL50 9SA

24 January 2023

Dear Ms Payne,

**Application Reference No. 22/01441/FUL  
Proposed Development at 10 Selkirk Street, Cheltenham, Gloucestershire GL52 2HH  
Impact on Larkspur House GL52 2PX**

We are appointed by [REDACTED] the owner of Larkspur House, following concerns that the proposed three storey self-build dwelling at Land Adjacent to 10 Selkirk Street will impact upon the daylight and sunlight receivable by their property and other properties in the vicinity.

The Building Research Establishment (BRE) "Site Layout Planning for Daylight and Sunlight 2022, 3<sup>rd</sup> Edition provides guidance for the planning department to consider.

The introduction to the BRE guide at 1.1 suggests that "people expect good natural lighting in their homes and in a wide range of non-domestic buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by. Access to skylight and sunlight helps make a building energy efficient; effective daylighting will reduce the need for electric light, while winter solar gain can meet some of the heating requirements."

We understand that the applicant has instructed T16 Design to undertake a daylight and sunlight study. The results of which indicate a number of windows would breach the BRE Daylight and Sunlight tests.

In the first instance, we note that in section 2.4 of the applicant's report, they identify that 10 and 10a Selkirk Street are identified as under the same freehold ownership as the development site, and therefore any loss of light to these properties should be afforded less weight in the decision-making process. We consider this to be misleading. It is well established that the ownership of surrounding properties is not a material planning consideration with reference the daylight and sunlight. The property at 10a is leased and therefore the owner/occupier is completely separate to the freehold owner. The light received by their property should be afforded as much weight as any other neighbouring property, regardless of the freehold ownership. Secondly, the freehold ownership of these properties could change in the future. To suggest any impact to these properties should be given less weight in the decision-making process is incorrect.

Additionally, the report does not contain a detailed list of the sources used in the construction of the 3D model that is the basis of the assessment and results. It is normal practice to list the drawings used which should match the relevant planning application drawings. It is also stated that 'sufficient detail is added to the model for the analysis'. We are of the opinion that a more detailed account of what is considered 'sufficient detail', and the sources used to model these details, are required before the report and results can be considered an accurate representation of the loss of light. You will therefore appreciate we are unable to confirm to our client that the results are an accurate interpretation of the anticipated light loss.

The results of the assessment show that three windows at 10/10a Selkirk Street would fall short of the BRE Vertical Sky Component (VSC) test. We understand that windows 1 and 2 (as labelled in the applicant's report) serve the kitchen/living room of 10a Selkirk Street and window 3 serves the kitchen at 10 Selkirk Street. We have included an image of the results table from the applicant's report below for reference.

Vertical Sky Component				
Window	Existing VSC	Proposed VSC	% Retained	Meets BRE Guidance?
1	13.953	6.664	47.76%	No
2	21.332	9.306	43.62%	No
3	26.551	18.227	68.65%	No
4	11.057	10.897	98.56%	Yes
5	26.391	22.829	86.50%	Yes

Windows 1 and 2 serving the kitchen/living room at 10a Selkirk Street already have low existing VSC scores before the proposed development, given they are at the basement level. With the proposed development in place, both windows would lose over half the daylight they currently receive. We would consider this a major loss of daylight which would severely impact the use and enjoyment of this room, which is the main living space at No. 10a.

The loss of light to window 3 would also breach the BRE VSC recommendations, given it would lose over 30% of its existing daylight.

In relation to the daylight distribution test, it appears to have only been applied to rooms with windows that fall short of the VSC test. The BRE guide states that both the total amount of skylight and its distribution within a building are important (2.2.5). The daylight distribution test should therefore be applied to all properties affected where internal layouts are known. We would be pleased to arrange access into our client's property at Larkspur House to inspect the internal arrangement so the assessment can be updated to include the daylight distribution results within the report.

We also note that in sections 8.5 and 8.6 of the applicant's report, it is stated that the daylight distribution test is 'more detailed and represents better the actual impact on a room... As such, it is generally given more weight in assessing whether or not a level of impact is considered unacceptable.' We consider this to also be incorrect and misleading. As above, section 2.2.5 of the BRE Guide explicitly makes clear that both the VSC and daylight distribution tests are important. In the case of *Guerry V LB Hammersmith and Fulham (2018)* the judge ruled that

that to base the impact on daylight from one daylight test over the other is incorrect, and the results for each test are separate and distinct. The breaches of the VSC test therefore need to be considered as separate from the results of the daylight distribution test. The statements in 8.8 and 10.7 in the applicant's report are therefore also misleading, as the proposed development cannot be considered fully compliant in relation to daylight when there are main habitable rooms windows that fall short of the VSC test.

In terms of the sunlight results, we have included the results table from the applicant's report below for reference.

Window	Annual Sunlight Hours			Winter Sunlight Hours			Meets BRE Guidance?
	Ex. Hrs Received (%)	Prop. Hrs Received	% Retained	Ex. Hrs Received	Prop. Hrs Received	% Retained	
1	13.306	0.000	0.00%	0.000	0.000	100.00%	Yes
2	25.572	3.950	15.45%	2.079	0.000	0.00%	Yes
3	37.283	25.557	N/ A	4.019	0.000	0.00%	Yes
5	56.757	50.104	N/ A	13.652	6.999	N/ A	Yes

As can be seen above, window 1 would lose all of the sunlight it currently receives, and window 2 would also lose a significant amount. The table above incorrectly shows that all windows pass the BRE Annual Probable Sunlight Hours test (ASPH).

The BRE guide states that sunlight may be adversely affected if the window:

- Receives less than 25% of annual probable sunlight hours and less than 0.8 times its former annual value; or less than 5% of annual sunlight hours between 21 September and 21 March and less than 0.8 times its former value during that period;
- And also has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

Despite being rated as compliant in the table above, it is acknowledged within section 9 of the applicant's report that 'there is some loss of sunlight beyond the BRE guidance, although only to 10 and 10a Selkirk Street'. We would not consider the loss of all sunlight received by window 1 to be 'some loss', nor the nearly 85% loss to window 2. We consider the loss of sunlight to be significant and will detrimentally impact the use and enjoyment of these rooms. As identified above, the fact that 10 and 10a Selkirk Street have the same freehold owner as the development site is irrelevant.

Window 3 would also breach the BRE ASPH test as although it retains above 25% annually, it would be left with less than 5% in the winter months, with a reduction ratio of 0, and have a greater than 4% reduction over the whole year. Marking the above results as compliant could be considered misleading as three windows would fall short of the ASPH test.

We also notice the absence of the BRE overshadowing to gardens and open space test. Our client's property at Larkspur House, highlighted in the image below, has external amenity space to the north of the development. The proposed development is likely to increase the level of overshadowing in our client's garden, and therefore a decision in favour of the application should not be made until the applicant instructs their surveyor to include the BRE Overshadowing to Gardens and Open Spaces test within their assessment.



In summary, we request that no decision is made in favour of the existing application until the scheme is redesigned to overcome the non-compliance in relation to the BRE Daylight and Sunlight tests, and an amended study is presented.

In addition to planning considerations, it is useful to assess the risk of any potential civil action from the outset and mitigate any future costs which could be incurred defending a claim. Our client is disappointed that they have been obliged to respond negatively to the application, but feels compelled to oppose a development which they consider will have such an oppressive and overbearing impact on the way they enjoy their property.

Please acknowledge receipt of this letter and respond accordingly with your assurance. Should you wish to discuss any aspect please do not hesitate to contact me.

I look forward to hearing from you shortly.

Yours sincerely



Alice Cook BA (Hons)  
Right of Light Surveyor

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