

APPLICATION NO: 24/00435/FUL		OFFICER: Ms Michelle Payne
DATE REGISTERED: 12th March 2024		DATE OF EXPIRY : 7th May 2024
WARD: Leckhampton		PARISH: LECKH
APPLICANT:	Alice Costello	
LOCATION:	187 Leckhampton Road Cheltenham Gloucestershire	
PROPOSAL:	Single storey rear extensions, first floor side extension and associated alterations to include replacement windows and external wall and roof insulation.	

REPRESENTATIONS

Number of contributors	6
Number of objections	6
Number of representations	0
Number of supporting	0

Nimble Planning
18 Blackthorn Walk,
Kingswood,
Bristol,
BS15 1TZ.

Comments: 24th April 2024

Addendum letter attached.

Comments: 2nd April 2024

Letter attached.

188 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AE

Comments: 25th April 2024

Letter attached.

Comments: 2nd April 2024

We live directly opposite 187 where it is proposed to increase the current single storey garage to a two-storey building with the roof ridge height matching the existing and, to build an extension some 12 m along the fence line of the rear garden. This new two-storey roof height is not subservient to the rest of the house because its design makes it dominate the rest of the house, detracting from and overwhelming the design of the original building, consequently damaging the architectural design of the original house and the character of the neighbouring road.

The proposed rear extension will have a negative visual impact because of its significant floor area, bulk and massing. The building materials chosen exacerbate this - a metal roof! The building will appear discordant and dominant to the original house. Overall, this proposal has a negative visual impact due to its significant bulk and massing. The proposed extensions have not been designed with subservience consideration. They will overwhelm the present house's appearance, being unacceptably bulky and unsympathetic additions. This proposal will have a visually detrimental impact on the neighbouring area - standing out as a large and incongruous building. If this planning application is approved, neighbouring properties in the road may receive approval for similar builds which, in time, would be detrimental to the community, erode the character and appearance of the area. Leckhampton Hill, which no doubt is the reason for the applicant choosing to extend 12 m directly from the rear of the house to view them, is an 'Area of Outstanding Natural Beauty'. The very large amount of glass bi-folding doors incorporated into the applicant's rear extension faces into the southerly sun and would be visible from Leckhampton Hill. Therefore, there is potential for reflections or solar glare to adversely affect those enjoying this AONB. I therefore, strongly object to this planning application and request that it be refused planning permission.

185 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AD

Comments: 25th April 2024

Letter attached.

Comments: 24th April 2024

Letter attached.

Comments: 2nd April 2024

Letter attached.

189 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AD

Comments: 2nd April 2024

Letter attached.

The Stables
Manor Farm Courtyard
Southam
Cheltenham
Gloucestershire
GL52 3PB

Comments: 25th April 2024

Additional letter attached.

Comments: 25th April 2024

Additional letter attached.

Comments: 3rd April 2024

Letter attached.

Comments: 3rd April 2024

Letter attached.

183 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AD

Comments: 25th April 2024

Letter attached.

Prospect House
183 Leckhampton Road
GL53 0AD

Planning Application 24/00435/FUL 187 Leckhampton Road, GL53 0AD

We write to OBJECT to this application for the following reasons:

Size of Building, Construction materials, Loss of view and Visual impact from Leckhampton Hill.

Size of Extension. As a consequence of 187 extending latitudinally into the garden by some 12 metres the result is a more visual impact of bulk and massing than is strictly necessary.

This proposed extension to the rear of the property has a floor level starting at 1.2 metres above ground level, presumably to give the applicants an elevated view of the hill. The resulting proposed structure is substantial with a height that cannot be justified.

Construction Materials. 187 is one of four houses (181, 183, 185, 187) with the same footprint, built around 1927 using similar construction materials, red brick with rendered upper elevations.

To add a large extension using timber cladding and a metal roof would not respect the character of the existing buildings. Materials are not appropriate to the site and setting.

Loss of View. Whilst we understand that Loss of View is not always a planning consideration, however, under the National Planning Policy Framework, policy SL1 states that 'development should not cause unacceptable harm in the amenity of adjoining land users and living conditions in the locality'. These 'impacts' of a development include loss of daylight, loss of outlook and loss of privacy.(14.4) Like others in our road we would completely lose the views of Leckhampton Hill from both our kitchen window and patio/decking.

Visual Impact from Leckhampton Hill. The visual impact of this huge extension with glass doors and metal roof as seen from the hill cannot be understated.

We strongly object to this proposed development and request that this application is refused.

Comments: 1st April 2024

Prospect House
183 Leckhampton Road
GL53 0AD

Planning Application 24/00435/FUL 187 Leckhampton Road, GL53 0AD

We write to OBJECT to this application for the following reasons:

Size of Building, Construction materials, Loss of view and Visual impact from Leckhampton Hill.

Size of Extension. As a consequence of 187 extending latitudinally into the garden by some 12 metres the result is a more visual impact of bulk and massing than is strictly necessary.

This proposed extension to the rear of the property has a floor level starting at 1.2 metres above ground level, presumably to give the applicants an elevated view of the hill. The resulting proposed structure is substantial with a height that cannot be justified.

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To add a large extension using timber cladding and a metal roof would not respect the character of the existing buildings. Materials are not appropriate to the site and setting.

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Visual Impact from Leckhampton Hill. The visual impact of this huge extension with glass doors and metal roof as seen from the hill cannot be understated.

We strongly object to this proposed development and request that this application is refused.

Planning Application 24/00435/FUL 187 Leckhampton Road, GL53 0AD

Further to our letter of the 2nd April we write to OBJECT to this application for the following reasons:

Size of Building, Construction materials, Loss of view, Loss of Outlook and Visual impact from Leckhampton Hill.

We consider that the revised plans have no effect our original objections.

The pictures below show the impact that the proposed single storey extension will have on the outlook from our decking.



Our current outlook



Proposed new outlook looking from our decking towards Leckhampton Hill.



CHELTENHAM

BOROUGH COUNCIL

Mr Tim Beardsmore
c/o RES Architecture
FAO Mr Harry Eamer
RES Architecture Unit 19.4
Highnam Business Centre
Highnam
Gloucester
GL2 8DN

APPLICATION NO: 17/00577/FUL

DATE REGISTERED: 22nd March 2017

DECISION DATE: 9th May 2017

PERMISSION FOR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

In pursuance of its powers under the above mentioned Act and Order Cheltenham Borough Council, as the Local Planning Authority, hereby **PERMITS** the following development:-

Demolition and reconfiguration of first floor rooms above garage.

AT: 189 Leckhampton Road Cheltenham Gloucestershire

in accordance with the conditions and Schedule 1 specified hereunder:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

PLANNING : ENVIRONMENTAL & REGULATORY SERVICES

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the additional first floor side elevation window to serve the bedroom to the rear of the property within the new extension; shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).

INFORMATIVES :-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority sought revisions to create an acceptable form and design of extension and to overcome a loss of privacy;

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

SCHEDULE 1

This decision relates to the following plans:

Approved Plans

Reference	Type	Received	Notes
PL05E.	Rev Drawing	19th April 2017	

This decision notice should be read in accordance with the Planning Officer's Report which details the material considerations relevant to the proposal and the reasons for the decision made. You can read a copy of this report online at www.cheltenham.gov.uk/publicaccess or in the Municipal Offices Promenade Cheltenham GL50 9SA (please contact Built Environment Reception to arrange this. Tel: 01242 264328)

A person who intends to carry out the development to which this planning permission relates is requested to give a minimum of 7 days notice to the planning authority as to the date on which it is proposed to initiate the development, and, in any event, before commencing the development. You are advised to contact the Compliance Officer at Built Environment 01242 774987.

Before starting work on site it is your responsibility to ascertain the position of any services such as sewers and drains, gas pipes, electricity lines, or water mains which may be affected by the works.

Important Information following your Planning Permission or Planning Permission Enquiry

Please note: most building works will require inspection by Building Control. For further information on Building Regulations and whether you will be required to make an application, please refer to our web site www.cheltenham.gov.uk/buildingcontrol or telephone 01242 264321.

Tracey Crews : Director of Planning

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.



CHEL TENHAM

BOROUGH COUNCIL

COMMENCEMENT OF PLANNING PERMISSION NOTICE

IMPORTANT INFORMATION - KEEP THIS WITH YOUR DECISION NOTICE

Reminder: You will still need to separately inform building control when you intend to start works, details can be found on our website at www.cheltenham.gov.uk/buildingcontrol.

Please read carefully the planning permission decision notice and ensure that you understand and comply with the requirements of any conditions. **Planning permission is granted subject to compliance with the conditions on your decision notice and the development is carried out in accordance with the approved drawing(s) and documents.**

It is your responsibility to comply. Failure to comply with the requirements of a condition or the commencing of works without discharging prior to commencement conditions could mean that the work you carry out is unauthorised and you will be at risk of enforcement action. We carry out a programme of site monitoring to check compliance and this notice is to proactively manage the development and to avoid any difficulty in the future. Further information, forms and fees can be found at www.cheltenham.gov.uk/planning and following the links for planning compliance and enforcement.

If you do not understand any of these requirements or require clarification please contact the planning department quoting the reference number 17/00577/FUL at the address below, by email builtenvironment@cheltenham.gov.uk or through our website www.cheltenham.gov.uk/planning.

Please ensure that you give yourself time to meet the requirements of any conditions, a discharge of conditions application could take up to 8 weeks. Please also be aware there is a charge to discharge conditions per request/submission.

Please complete the following and return it to the compliance officer at the address below or by email to planningcompliance@cheltenham.gov.uk. Application forms and further information can be found on our website at www.cheltenham.gov.uk/planning following the links for planning compliance and enforcement.

Development Details

Planning application ref: 17/00577/FUL
Proposal: Demolition and reconfiguration of first floor rooms above garage.
Site Location: 189 Leckhampton Road Cheltenham Gloucestershire

Date when work is intended to start:

Your contact details (or attach letterhead/business card):

Name:
Address:
.....
.....
Telephone: **Mobile:**
Email:

Delegated Officer Report

APPLICATION NO: 17/00577/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 22nd March 2017		DATE OF EXPIRY: 17th May 2017
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill
APPLICANT:	Mr Tim Beardsmore	
AGENT:	RES Architecture	
LOCATION:	189 Leckhampton Road Cheltenham Gloucestershire	
PROPOSAL:	Demolition and reconfiguration of first floor rooms above garage.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached property located within a residential area on Leckhampton Road.
- 1.2 The applicant is seeking planning permission for the demolition and reconfiguration of the first floor rooms above the existing garage.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Relevant Planning History:

06/00550/FUL 5th June 2006 WDN

Erection of ancillary leisure building

06/01004/FUL 17th August 2006 PER

Proposed ancillary leisure building to the rear

14/01860/FUL 9th December 2014 PER

Removal of existing uPVC conservatory and erection of a single storey flat roof extension to the rear

15/00373/CLPUD 18th March 2015 CERTPU

Installation of swimming pool ancillary to dwellinghouse in rear garden

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records - 11th April 2017

Biodiversity report available to view in Documents Tab.

Parish Council - 11th April 2017

The Council has no objections to the application

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	7
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 7 letters were sent to neighbouring properties, no letters of representation have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.3 Design

- 6.4 Initial concerns were raised with regard to roof form of the proposed new addition. The proposed gable was at odds with the form of the existing building and resulted in an unacceptable addition to the property. Revisions were therefore requested.

- 6.5 The revised plans include a part hipped roof form to reflect the design and character of the existing building. The proposal now reads as a sympathetic addition to the existing building with proposed materials to match that of the existing building which is wholly appropriate and acceptable.

- 6.6 The revised plans included an additional front and rear elevation window. The front elevation window was not considered to be appropriate in terms of its size and form and did not respect the existing window design in the rest of the property. The front elevation window has been removed from the scheme.

- 6.7 The proposal in its revised form is not considered to result in any unacceptable harm to the design and character of the existing building or its surroundings and is compliant with the requirements of the local plan policy CP7 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008)

6.8 Impact on neighbouring property

- 6.9 Concerns were raised by officers regarding the proposal of an additional first floor side elevation window which would result in an unacceptable loss of privacy to the neighbouring land user of number 187 Leckhampton Road. Whilst officers acknowledged that there was an existing clear glazed window in this elevation, an additional window would intensify this situation. Revisions were therefore requested.

- 6.10 Revised plans show the additional window to be obscurely glazed and high level opening. A condition to this effect has been added.

- 6.11 The proposed extension will not result in any unacceptable loss of light to any neighbouring land user. In addition no letters of objection have been received.

- 6.12 The proposal is therefore compliant with Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.13 Environmental Impact

- 6.14 Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1 For the reasons discussed above it is considered that the proposal is in accordance with policy CP7 and CP4 in terms of achieving an acceptable standard of design and protecting the amenity of neighbouring land users.
- 7.2 As such, the recommendation is to permit this application subject to the conditions set out below.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the additional first floor side elevation window to serve the bedroom to the rear of the property within the new extension; shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).

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In this instance, the authority sought revisions to create an acceptable form and design of extension and to overcome a loss of privacy;

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

Approved Plans

Reference	Type	Received	Notes
PL05E.	Rev Drawing	19th April 2017	

CASE OFFICER:

Mr Ben Hawkes

AUTHORISING OFFICER: CH

DATE: 08/05/2017





Material points of objection to Revised Plans submitted under Application 24/00435/FUL

Dated 24th April 2024

We live at 189 Leckhampton Road next to 187 Leckhampton Road on the SW boundary:-

The applicant advised 185/189 that Michelle Payne had “accepted the extension on the initial plans, as well as approved the balcony subject to the width being reduced”. As a result of these incredible statements made by 187 the neighbours contacted Michelle to confirm whether this was true or not. Michelle advised 185 that she told the Architect ‘in principle an extension at the rear of the property would be acceptable, but the balcony was not acceptable’. Even though the applicant was aware the balcony would not be acceptable they still submitted it. This confirms the revised plans were drawn at the same time as the initial ones, so the tactic of ‘shock and awe’ by the Architect to give the impression concessions have been given, must be ignored to prevent subjectivity creeping in, especially if this goes to Committee. The truth is 187 were never going to get a balcony; a 2 storey roof above a single storey extension; or a ridiculous 12m protruding barn extension from the rear elevation. Everyone we have spoken to that has seen the plans commented “it’s like seeing a house on another house!”

We have since heard another revelation from 187 explaining to 185 that their Architect has advised them that steps down into an extension are not allowed! We find the applicant dishonest, controlling and the Architect wholly unprofessional given the tactics they have played out to try and by-pass CBC, the Planning Officer, and any neighbours’ wanting to object, including their appointed planners.

Prior to the lodging of this application the applicant took down 50% of the hedge between our boundaries, which included some of our trees and hedges on our side of the fence, had we not intervened their landscaping contractor would have taken down even more. They did this to create a view of Leckhampton Hill. Once again showing the vindictive lengths the applicant will go to in order to get what they want.

The following points have been documented to give a reason behind why they are material, as well as help paint a picture for those people who haven’t visited the subject site, or 189’s garden:-

1) Overlooking/ loss of privacy/ perceived loss of privacy: the 2 storey ensuite bathroom with windows (both elevation and roof) extending 2.72m; the large 5.2m 7 bi-folding door extension; and the huge raised outdoor terrace area amounting to 65m² (700 sq.ft.) which wraps around the entire rear elevation and abuts the fence of 189 will face directly into 189 and into our outdoor garden amenity space. [REDACTED]

[REDACTED] would attract in future if this application is granted. The feeling of being ‘constantly watched’ given the applicant’s proposed rooms of a main lounge within the 5.2m extension will be the most frequently used in their household, goes some way to confirming the significant amount of overlooking, as well the unnecessary invasion of privacy it will create. We had a site visit with Michelle Payne on Tues 23rd Apr and Michelle mentioned the conservatory that looks in our direction. Firstly, the conservatory is an ancilliary building not habitable; secondly, it is thin in width and runs down the rear elevation of the property not protruding out into the garden; thirdly it is sat elevated but behind 189’s extension, Fourthly, the proposed 5.2m extension protrudes directly out at 90 degrees sitting directly on 185’s fence line, whilst looking directly at and further into 189’s garden. Finally, it has blinds drawn most of the time due to the intense heat created (as we mention

below) and the applicant has already said they don't use it. We have said all along why is all the proposed built-form sat on the fence of 185 on a raised platform of 1.21m overlooking 189? when 187 has a vast width of rear elevation stretching some 12.54m to work with to build an even larger extension that looks into 187's garden not 189's. Given the vast number of material concerns both 189 and 185 have raised surely lowering the extension and wrapping it along the 12.54m rear elevation is a far better solution for all?

Please note the enclosed images showing existing as well as the visual impact it will create from an overlooking/ loss of privacy concern should the Council grant permission.

2) Siting/ total change of aspect and outlook: there is no right to a view under planning yet this 8m protruding extension (at a FFL of 1.21m above ground level) and 2 storey ensuite is proposed in order to create a view of Leckhampton Hill - as confirmed by the applicant themselves - see minutes. The irony being that if the Council grant permission they will also obliterate any view 185 has in that direction, thus proving the selfishness of these plans. There is a total change of aspect and outlook from the existing property in turning the building 90 degrees to overlook and maximise the views across neighbouring gardens, and up the Hill, even though there wasn't a view before they cut down 189's hedges and trees.

3) Subservience: There are significant issues with the proposed FF extension above 187's existing garage. 189 had an identical application for a FF addition over their existing garage (17/00577/ FUL) where the Officer's report confirms revised plans were submitted at the request of CBC to deal with their subservience concerns. As a result 189's full height bedrooms had to incorporate sloping ceilings, as well as 2 internal steps leading down into the bedrooms at FF level. Must be noted that there is almost twice the distance between 187 and 189's side elevations when compared to the distance between 185 & 187's side elevations, thus proving the subservient impact that CBC identified on app 17/0577/ FUL will be far more severe on 185 if CBC allow 187's plans to go through". All we are looking for here is fairness and to treat each resident with the same outcome.

4) Overbearing/Scaling: the 14.5m mass of built form stretches from the front of 187's garage to the end of the single storey extension, it will run at an average height of 8.8m to ridge until the end of the two-storey addition and then for a further 5.2m at a height of 4.62m, coupled with it sat on a raised platform of 1.21m. The '7' steps it takes from the utility room FFL to get into 187's garden goes some way to explaining that – as evidenced on the Architect's Existing Plans. It will also give the premise to go higher in the future using ridge height precedent should you grant this permission, whether that is the intention later on or not. This in turn will grant enticement to others further down the road to 'jack up' their extensions even higher, thus creating viewing towers in order to generate a view of the hill, as well attempting to rise above the extensions in front of them. In turn leading to longer protruding extensions into gardens as a result, meaning more loss of garden/ wildlife space which the Council is trying to protect, and of course more flooding as a result of water run-off and funnelling from the hill due to the high water table that exists in this location. You only have to realise the staggering amount of fill required to create the raised outdoor terrace, given the land drops in level from 0.75m at our boundary fence to 1.21m across the rear elevation to 185's fence, and that's before you add the drop in land level which slopes into 187's garden. As a result it will create the same land level as our garden and we'll be able to see people at the same head height despite the land being 0.75m lower at our fence and 1.21m at 185's fence.

Please note the enclosed images showing existing as well as the visual impact it will create from an overbearing/ scaling concern should the Council grant permission.

5) Overmassing; as a result of coming out further into the subject's garden it gives the result of more visual impact and massing than is strictly necessary. Most if not all extensions maximise their space by extending longitudinally across the back elevation which will provide far less impact concerning massing, as well as providing more daylight and functionality for the applicant. It will also mean less confrontation with neighbouring properties and less material objections as a result. Most extensions if not all are single storey and look into the applicants' own garden, not their neighbours! Only summer houses or sheds are usually afforded that luxury under permissible development rights.

Please note the enclosed images showing existing as well as the visual impact it will create from an overmassing concern should the Council grant permission.

6) Noise:- is a material objection as long as it can be proven that the proposed plans seek to create it. The applicant's children are incredibly noisy when playing in their house and garden, so allowing them to have a 5.2m extension facing us, with the ability to open up the whole building using 7 bi-folding doors, will just amplify that noise like a resounding cave straight back into our garden amenity space, as well as our house when we have our bi-folds open - rather than down into their own garden. Especially given that room will be used as the main lounge area where they will socialise a lot. Add the extra noise from BBQ's and paddling pools given the 0.75m raised patio (which will be at the same garden level as ours) then you can start to see the impact this single storey extension will create.

7) Appearance, design and materials proposed; in relation to pts 2,3,4,5 the proposed appearance is out of character with the existing building as well as its neighbouring extensions. Most if not all extensions are single storey, often flat roofed, for that reason to help delineate between old and new parts. The proposed roof materials as well as the glazing of 7 bi-folding doors will reflect solar glare (during both winter and summer) thereby reflecting back into our garden, but more importantly up Leckhampton Hill being in the designated AONB. They are proposing to keep the 1970 brown Marley ridgeback tiles (which the previous owner put on before they sold) which don't complement or go with the new modern metal seem roof/ powder coated windows or architectural pergola which looks clumsy and industrial

8) Precedent/ Others;

189 has 2 steps down in the middle of our single storey extension due to the natural lie of the land so creating a finished floor level 2 steps 'down' into the applicants' garden will help prevent a precedent of towering extensions in the future. 189's extension wraps around the rear of our elevation about 50% and only projects out 4m. 189 also has x4 internal steps twice (8 in total) at the point the land drops off in that location in order to access the drop in gradient from its kitchen into its downstairs toilet and garage. Taking that into consideration and allowing a resident to by-pass the need for steps down in a new extension (187), despite having the same lie of the land issues, does not suggest fair consideration will have been given to both residents.

191 has a wraparound extension at the rear with a side patio door looking onto their neighbour's fence, given the plot is so small compared to others. It also doesn't have the gradient or drop in land level there is between 185 and 189.

181 has a long brick garage/ store under a separate planning consent which is classed as 'ancillary buildings' under planning and therefore not habitable, and neither are they connected to the main house. They also return into their garden not up the Hill and are screened by large trees both sides of the fence, especially the return side into 179 Leckhampton Rd where the building has been split

into 2 dwellings (177) meaning the garden is 50% smaller and screened further, with a double fence layer of trees and hedging.

9) Side elevation/ Master ensuite: 187 have removed the existing privacy/ obscure glass across the entire length of this West elevation between 187 & 189 in their application, which means they can see straight into the Children's bedrooms of 189 – must be restored to obscure. The large rear window and floor to roof window on the master ensuite bathroom (two-storey addition) needs obscure glazing to prevent loss of privacy and overlooking into 189. Neighbour's will also be able to see directly in from their front and rear gardens. 189 has a rear elevation bathroom with obscure glazing but you can still see everything when the lights are on, blinds are a must!

10) Flooding concerns - 189 has a 'wet cellar' with an automatic sump pump due to the high water table in this location, which is as a result of rain coming off Leckhampton Hill. Putting a 13m hard standing barrier in the way which also runs the full length of 187's rear elevation (outdoor terrace) will surely create more run off, funnelling and increase velocity into more congested built-up areas, thus potentially creating more flooding elsewhere. Does the applicant have a wet cellar? Will they be compounding the problem? or pushing this onto 185? We are not looking to refuse on this point merely to protect neighbours from any unnecessary claims. Building Regulations will not deal with flooding concerns, especially if these plans are built during the summer. A SUDS report or a review on strategy report is a sensible way forward.

Please note the enclosed images taken of 187's garden confirming ground saturation

12) Sustainability – Councillor Nelson visited our garden on 27th Mar and 22nd April and was still appalled as well as disgusted at the submission of these revised plans – she added that these were hideous and clearly designed to maximise size rather than create and acceptance form and design. She asked whether there were any solar panels? and we mentioned that it got to 50 degrees in our extension during record temps and we only have 3 bi-folding doors, so you can imagine the solar gain of 7 glass doors plus the other 4 across the rear. It's like building a greenhouse and worrying about it later. You can guarantee they'll be installing air conditioning as a result which is the total opposite of sustainability. All the gardens West facing and get the full exposure of the SW effect which explains a lot. The Architect's sustainability statement is a joke and should be chucked out.

Summary:-

It's as though 187 aren't happy with the plot they bought, or the view into their own garden, so now want to change the aspect, outlook, and the direction the house sits in by turning it 90 degrees.

A 6.8m x 8.9m high FF addition above the existing garage, A 2.72m x 8.7m high two-storey ensuite master bathroom with windows (both elevation and roof); a large 5.2m x 4.62m 7 Nr bi-folding door single storey extension; and a huge raised outdoor terrace area amounting to 65m² (700 sq.ft.) which wraps around the entire rear elevation, will look directly into 189's outdoor garden amenity space thus causing significant impacts of overlooking, significant impacts of loss of privacy, significant impacts of perceived loss of privacy as well as a significant increase in noise disturbance.

Major subservience issues given the restrictions CBC applied to 189 on their application for a FF addition above their garage (App 17/00577/FUL). The same restrictions implied must also be applied to 187 given there is even less distance between 185 and 187 as a result of 187 building up to and on their boundary line. We are reviewing these concerns with our QC to ensure fairness is applied on this particular issue.

Lack of any obscure glazing on the ensuite master bathroom, the fact they've removed all the existing obscure glazing along the side elevation between 189 and 185.

The additional noise created as a result of the proposed single storey extension facing 189 and overlooking 189's garden. When the 7 bi-folding doors are peeled back in the spring to autumn coupled with the raised patio to socialise on, the additional noise will re-bounce back into 189's garden (as well as their house once 189 open their bi-folds) using the back of the extension as a reverberating cave.

With a FFL of 1.21m and a raised outdoor terrace at the same level above ground level meaning it will require 5 steps in order to access 187's garden, confirms how imposing and overlooking the extensions will be.

With an average ridge height of 8.8m above the garage and two-storey addition, you begin to realise the mass of built form as well as the significant impact concerning overbearing, overshadowing, loss of daylight this will cause to 185, as well as 183 and the neighbours below them.

7 bi-folding glazing panels protruding 5.2m into the garden on top of the 4 they have at the rear elevation, reflecting solar glare into 189, and potentially up Leckhampton Hill. The solar gain alone will be incredible yet no mention of this in the sustainability report as a consequence of a West facing garden, and the new proposed extensions facing directly into the SW sun.

The private garage they have coupled with the utility room are classed as ancillary buildings so are not habitable or conform to domestic building regulations.

Compromise & Resolution

The applicant will no doubt refresh and re-submit their application in due course, and no-one begrudges them a reasonably sized extension which looks into their own garden, but that has to run down the back of their rear elevation like everyone else on this side of the road; in gradient with the lie of their land (2/3 steps down not 6 steps up); be single storey; and therefore have no right to overlook or cause a loss of privacy to neighbours - this will help overcome all issues mentioned above, and in 185's objection as well.

You will see enclosed minutes of a meeting held with the applicant in our garden on 20th Mar which give a very distinct flavour of their attitude and desires but also that they are clearly open to compromise and resolution given the ultimatum 189 gave 187, especially if they continue to remain wholly unreasonable and obtuse to the concerns of their neighbour's. Please read these minutes as we want to portray to the Planning Officer that we believe this can be negotiated between neighbours, planners and their Architect rather than having numerous expensive re-submissions, and objections down the line, which of course will be a complete waste of time and money for everyone concerned.

Site Visits:-

Site visits to the subject site, as well as neighbouring gardens, are imperative to ensure the full impact of these proposals can be fully visualised. Everyone that has attended so far have been flabbergasted by how overbearing and monstrous these plans are, so we would welcome the Planning Officer to re-attend, as well as any Committee Members in due course in the event this application is called in.

Enclosures:-

Images of existing views taken from our garden

Images of visual impact as a result of granting permission

Copy of Officer's report concerning App 17/00577/FUL

Minutes of a meeting held in our garden with the Applicant

Cheltenham Borough Council – Planning Office
P.O.Box 12
Municipal Offices
Cheltenham
Glos
GL53 0AE

188 Leckhampton Road
Cheltenham
Glos
GL53 0AD

23.4.2024

To whom it may concern

Planning application 24/00435/FUL

Wish to uphold my objection to the plans submitted for no 187 Leckhampton Road.
The alterations which have been suggested do not alter any of my original comments and still go against the policies which I have drawn attention to in my original objection.

I therefore, strongly object to this planning application and request that it be refused planning permission.

Yours sincerely



Planning Offices
Cheltenham Borough Council
P.O.Box 12
Glos Municipal Offices
Cheltenham
Glos GL50 1PP

185 Leckhampton Road
Cheltenham
Glos
GL53 0AD

24.4.2024

Planning Application 24/00435/FUL - 187 Leckhampton Road, Cheltenham, GL53 0AD
Planning Officer: Miss Michelle Payne

We write to confirm that we still object to the plans submitted in this application.
Although there have been some alterations made, the proposed plans still fail in several areas:

Overshadowing and loss of light, overbearing impact due to its' height and scale, use of materials which do not compliment the original dwelling, and detrimental impact on our living conditions.

Scale and Dominance

The extensions are intended to sit right on the boundary line between no 185 and 187. There will still be an overbearing effect caused by the height of both the single and the two storey extensions and their proximity to no 185.

The ground floor of No 187 is already higher than no 185, because the houses are built on a hill.

No 187 is proposing to raise its' ground floor up **by another 1.2 metres above this** which gives a totally unreasonable height for the single storey extension.

The change in roof line on the double extension and its' closeness to no 185 mean that we will be overshadowed and lose light to our South facing widows. It will have an overbearing effect.

The resultant building would still be contrary to Policy SD14 of the 'Joint Core Strategy', Policy SL1 of the 'Cheltenham Plan' and the guidance set out withing paragraph 135 of the 'NPPF'.

Residential Amenity (overshadowing and overlooking)

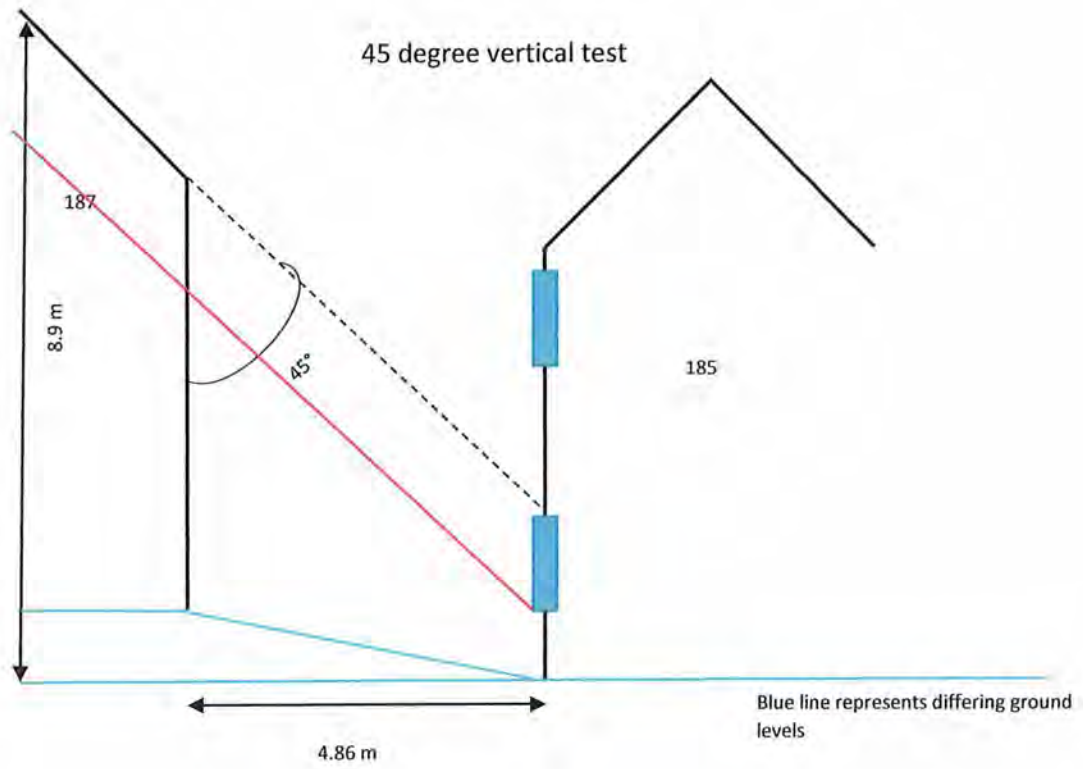
The alterations which have been made to the original plans still do not alter any of our original objections.

The height of the extensions will mean that our amenity will be severely impacted as they will have an overbearing effect. We will lose both light and outlook from our South facing windows and our outside seating areas.

The extensions will dominate due to their size and height. Things will be made worse by the fact that the walls will be solid render with only one window across the whole expanse.

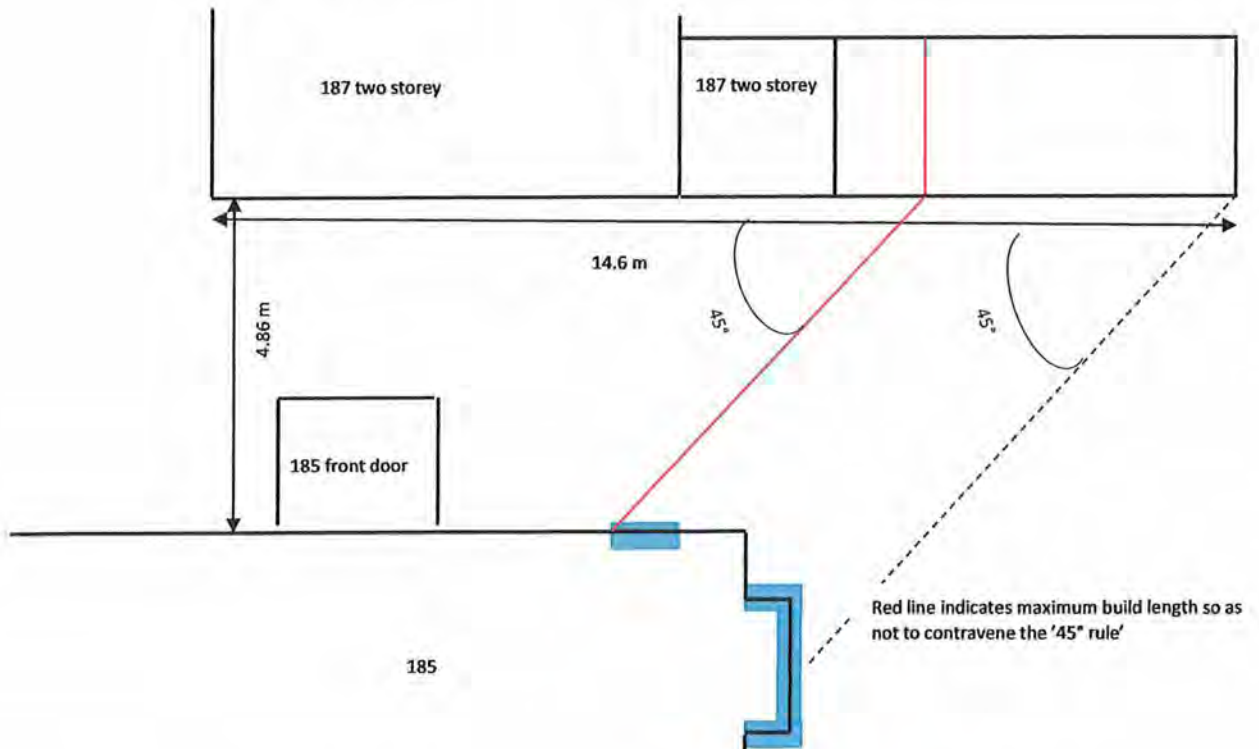
We believe that both the vertical and lateral 45% rule will be breached by the extensions (**see below diagrams**).

Continued.....



Red line indicates maximum build height so as not to contravene the '45° rule'

45 degree lateral test



The 'Joint Core Strategy' states that the Council will give regards to matters such as lost daylight. It will also give regard to loss of outlook.

It also states that development will only be permitted when it will not cause unacceptable harm to the amenity of adjoining land users.

Appearance (design and materials)

Our original objections towards the proposed materials remain. Although plans for the roof include lowering its' original projection, the suggested metal material is totally out of keeping with the character of other houses in the area, as is the pergola running along much of the rear of the house and overpowering its' existing features.

Both the single and two storey extensions lack subservience to the original house and will change its' essential characteristics.

Should the plans be given approval, we will see a huge mass of render and metal, both from all our south facing side windows, our main rear windows and our patio and outside seating areas.

The appearance contradicts NPPF paragraph 135, section b

Planning Practice guidance states that achieving good design should work well for everyone – this will not be the case.

Policy D1 requires that new development should respect neighbouring development – it will not.

Policy SD4 states that new development should be of a scale, type, and density appropriate to the site and its setting. Massing and overbearing are in contradiction of this policy.

As a conclusion, there are still multiple examples of the suggested plans being contrary to current planning policies and strategies.

As stated in the 'NPPF' - "Development that is not well designed should be refused"


Our other points for consideration have not changed from our original objection and we remain very concerned over the effects of such a large area of earth being removed in a flood plain.

Summary

In consideration of all the above, this planned design is still of unacceptable scale, mass, form, and design. The loss of light and overshadowing to 185 will have a severe impact on 185's living conditions.

The negative impact on 185 and its neighbours' amenity due to visual impact, massing and being overbearing makes this planning application unacceptable. We therefore, strongly object and respectfully request that this application is refused planning permission.

In the event this application is referred to the 'Planning Committee', we kindly request that we are given notice so that we are able to address the Planning Committee directly.

Signed: 



Date: 24/04/2024

(see below images/photos):-



The raising of the floor level, the height of the two-storey extension and the re-pitching of the roof provide an example of over massing and will be overbearing to no 185.



Our patio and external seating areas would be dominated by the single storey extension. Its' **ground floor level would be raised by 1.2 metres over and above 185's ground floor level.** In essence, this extension would be built on top of a 1.2 m high platform and will be right against the boundary fence!



This design is not in keeping with the character of the existing houses.



Wednesday, 24 April 2024

Objection to Application 24/00435/FUL

Site Address: 187 Leckhampton Road, Cheltenham, Gloucestershire, GL53 0AD

Description: Part two storey/part single storey side/rear extension

Introduction:

This objection letter relates to application 24/00435/FUL, which is a householder planning application for a part two storey/part single storey side/rear extension to 187 Leckhampton Road, Cheltenham, Gloucestershire, GL53 0AD.

This comment is an addendum to the objection previously submitted on 2nd April 2024, in response to revised plans which were uploaded to the Council's website on the same day. Both objections should be read in conjunction.

Relevant Planning History:

Reference Number:	Description:	Decision:
85/01473/PF	Extension to existing dwelling to provide a private car garage and utility room	Permitted 21 November 1985
86/01621/PF	Alteration and extension to existing dwelling to provide an enlarged kitchen	Permitted 2 nd June 1986

Relevant Planning Policy:

National Planning Policy:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

Local Planning Policy:

Adopted Cheltenham Plan 2020 (CP)

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS)

SD4 Design Requirements

SD14 Health and Environmental Quality

Supplementary Planning Guidance:

Residential Alterations and Extensions (2008)

Discussion of Scheme:

Procedural Issues:

The accuracy of the provided plans are questions; due to the topography of the site, the finished floor level to the end of the extension would sit significantly above ground level; it is questioned whether a topographical survey of the site was undertaken, and how accurate the provided measurements are.

There are concerns that the distance between 189's boundary fence and 187's side porch is wrong, and it is believed that the plans show it to be about 600mm wider than it is.

Furthermore, the provided block plan fails to show the first-floor extension above the existing garage; this should be added to the proposed plans to ensure accuracy.

Finally, the existing plans do not show the upper floor side windows as being obscure glazed; this should also be rectified.

Design and Visual Amenity:

Paragraph 135 of the NPPF states that planning decisions should ensure that all developments will add to the overall quality of the area over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, establish and maintain a strong sense of place using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. Paragraph 139 of the NPPF goes on to state that development that is not well designed should be refused.

Planning Practice Guidance (PPG) states that achieving good design "is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations."

Policy D1 requires alterations and extensions to existing buildings to avoid causing harm to the architectural integrity of the building; and the unacceptable erosion of open space around the existing building. All development is required to complement and respect neighbouring development and the character of the locality.

Policy SD4 states that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form. It should be of a scale, type, density, and materials appropriate to the site and its setting. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live and having appropriate regard to the historic environment.

The existing dwelling is a characterful dwelling, with 2no. front gables, and a catslide style roof to the side, above the garage approved under application 85/01473/PF.

No alterations have been made to the proposed two-storey element, which would extend above the existing garage, with a ridge height to match the existing dwelling. Though it would be set back from the dwelling's principal elevation, it is considered that the matching ridge height lacks subservience

and would unduly dominate the original building by reason of its design and would visually overwhelm and detract from the original form and architectural detailing of the house, resulting in harm to the character of the dwelling and the surrounding street scene.

It should be noted that a previous application at No. 189 for a first-floor addition which was of a similar size to that proposed under the current application was required to be significantly reduced as part of application 17/00577, due to concerns relating to the unacceptability of the addition. The proposed addition was revised to be significantly reduced in size in response to the officer's concerns. No. 189 has two steps leading down into the bedrooms created above the garage at first-floor level along with two sloping ceilings in order to deal with the subservience issues by identified by the case officer.

It should also be noted that there is almost twice the distance between 187 and 189's side elevations when compared to the distance between 185 & 187's side elevations; this worsens the impacts relating to subservience identified on application 17/0577/FUL; the first-floor extension will clearly be more severe than the extension originally proposed above No. 189.

Although reduced in depth, the proposed rear extension would still result in negative visual impacts due to its significant footprint, bulk and massing; it is overly tall at 8.9m to the ridge, and when viewed in conjunction with the proposed two-storey addition, would result in a loss of the dwelling's original character and would cause visual harm. Furthermore, it sits in extremely close proximity to the boundary line of 185, where in the case of the two-storey extension above the garage it sits on the boundary line.

This harm would be worsened by the proposed use of materials; the amount of Cotswold Stone proposed around the rear elevation wraps around the single-storey kitchen nib and onto the single-storey extension; it is considered that this would jar visually with the existing materials, especially the 1980's Marley Roof Tile. In addition, the proposed pergola is out of keeping with the period property, not only does it extend a significant distance across the terrace, but it also looks clumsy and industrial compared to the softness of Cotswold stone. This amount of ranging will darken the internal feel of the property despite the huge amount of new glazing proposed. It would also appear incongruous when viewed with the flat roof canopy detail of the kitchen nib; this detail requires further explanation to justify its design.

In conclusion, the juxtaposition of the design, bulk, scale, massing, and materials of the proposal with the existing property would result in visual harm to the character of the existing dwelling and the surrounding area. The proposal fails to comply with policies D1, SD4 and the advice contained within the Residential Alterations and Extensions SPD, or the relevant provisions of the NPPF. As such, the application should be refused.

Residential Amenity:

Paragraph 135 of the NPPF sets out six criteria against which planning decisions should meet to deliver well-designed places. This includes criteria (f), which requires development to "create places ... with a high standard of amenity for existing and future users."

Planning Practice Guidance (PPG) states that achieving good design "is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations."

SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality; these requirements are reiterated in adopted

JCS policy SD14. Consideration will be given to matters including, but not limited to, outlook, privacy, and daylight.

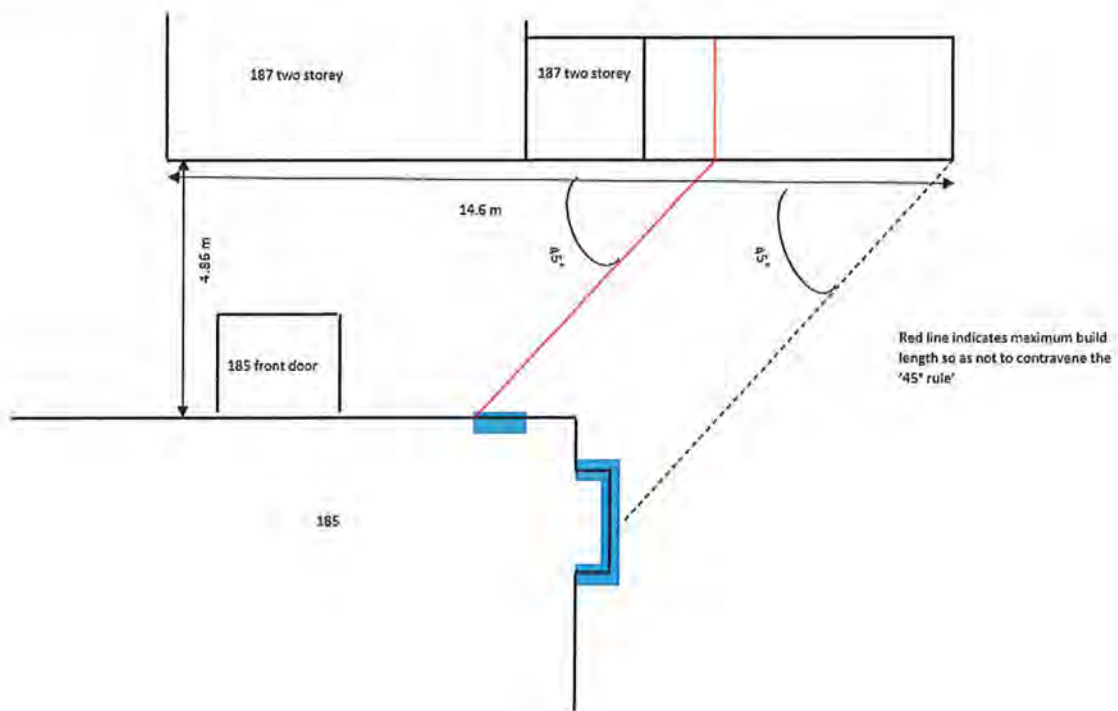
Though the single-storey extension has been reduced in depth, it would still be unduly tall, and would sit on the northern boundary, which is shared with No. 185. No. 185 has a number of rear and side facing windows at ground and first-floor levels, which sit within close proximity to the site boundary; furthermore, the patio area sits directly next to the boundary, where the proposed extension would sit. A photograph from a side facing window and showing the relationship between the application site and the patio area of No. 185 is included below.

Though not determinative, it should be noted that under permitted development rights, single-storey rear extensions are generally permitted to be 4m in height with 3m eaves; the proposed extension still significantly taller than this, which is representative of the significant levels of harm it would cause. These impacts would be brought by both the single-storey and first-floor additions to the dwelling.

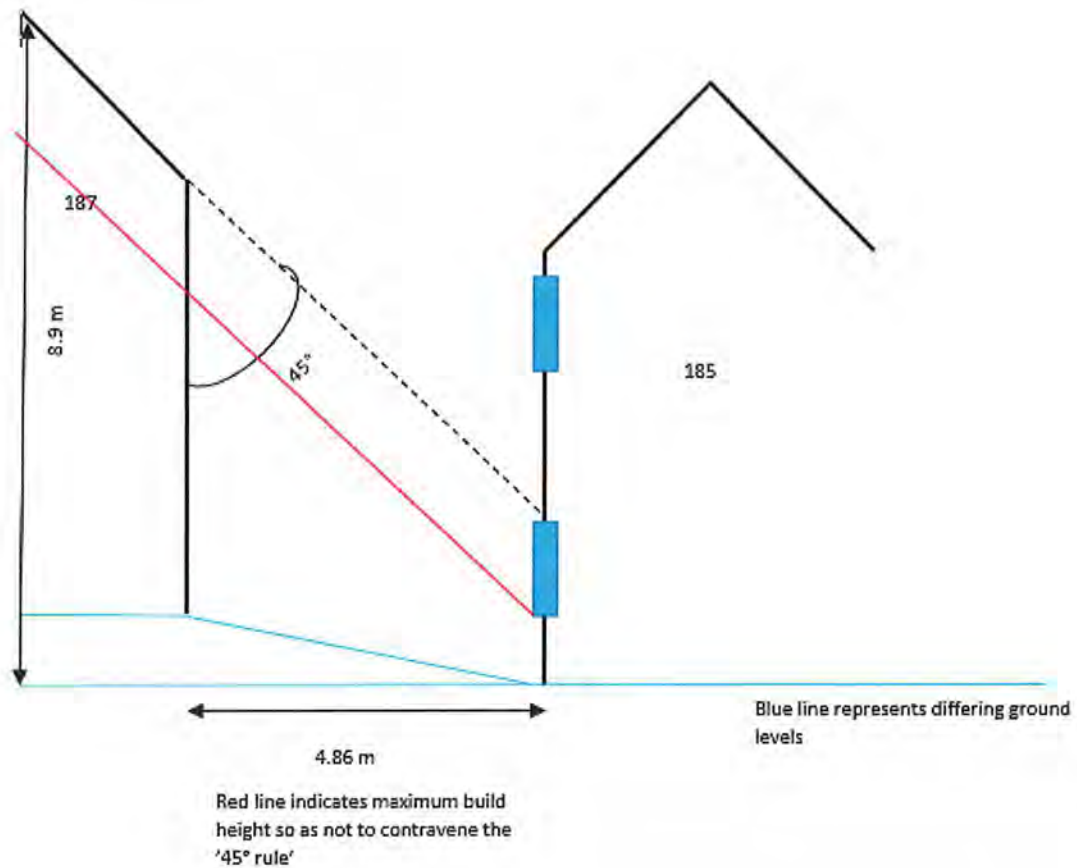
BRE Guidelines (Site layout planning for daylight and sunlight: a guide to good practice' (BR209 2022)) outline that built form within 45 degrees from the centre of a window is likely to result in an unacceptable loss of daylight and outlook.

In this instance, due to the proximity of the extension to the windows of the neighbouring property, and the height of the extension above these windows, it is clear that the proposed extension would fail this test, and as such, permission should be refused. The images overleaf show the angle of the proposed extension from this side window, both horizontally and vertically; scaled versions of these images can be made available upon request:

Horizontal 45 Degree Test:



Vertical 45 Degree Test



The side window along 185, as well as the bedroom window above, are long vertical apertures, which provide significant amounts of light and outlook to their respective rooms. These are not ancilliary windows given that the arc of the morning sun hits the dining room through this window at breakfast time, and at lunchtime during the midday sun, as well as at dinner time during the evening sun.

As such, it is clear that there would be an unacceptable loss of light to No. 185, and the proposal would fail to comply with the BRE guidelines.

The outlook from the windows outlined on these plans are shown below:

Image from Side Facing Ground-Floor Window of No. 185:



Image from Side Facing First-Floor Window of No. 185:



Both the proposed two-storey and single-storey extension would sit within extremely close proximity of this boundary; the two-storey addition would measure around 8.9m in height, and the single-storey extension would extend almost 8m past the property's original rear elevation, measuring 4.62m in height (though this figure is questioned due to the apparent lack of a topographical survey). This would result in a significant loss of outlook and light to the side facing windows of No. 185, and significant overbearing impacts on the rooms which the windows serve.

An illustrative image of the outlook from the patio and extensions following development has been provided by the residents of No. 185; this is included below:

Image showing relationship between application site and patio area of No. 185:



Image showing relationship between application site and patio area of No. 185 following development:



Patio areas directly behind dwellings are generally understood to be the most well used area of the garden; the proposal would result in the erection of significant single-storey and two-storey

structures within extremely close proximity to the patio, resulting in unacceptable enclosing and overbearing impacts, and a loss of light to the rear garden of the property.

Further illustrative images from the garden back towards the dwellings are included below:

Image from Garden of No. 185 back towards dwellings:



Image from Garden of No. 185 back towards dwellings following development:



It is clear that this would result in a significant enclosing and overbearing impact, with a resultant loss of light to the patio and windows, and a loss of outlook from the windows of No. 185.

An illustrative image of the extension and patio from No. 189 is provided below:

Image from Garden of No. 189:



Image from Garden of No. 189 following development:

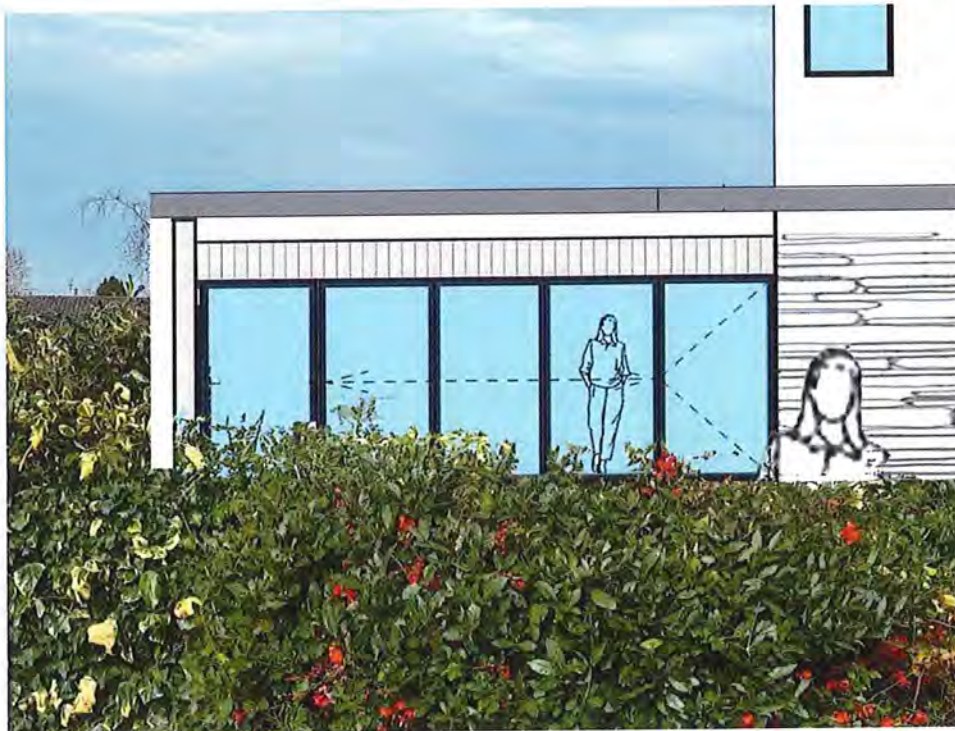


Additionally, due to the sloping nature of the site, the finished floor level of the rear extension would sit significantly above the ground level below (some 1.21m above ground); the side elevation of the rear extension would have a significant number of glazed, bifold doors facing towards the garden of No. 189, resulting in further unacceptable overlooking impacts. The below illustration shows this unacceptable level of overlooking from the extension towards No. 189:

Image from Garden of No. 189:



Image from Garden of No. 189 following development:



This floor level would be matched by the .75m tall, raised patio which would wrap around the entire rear elevation of the property and be extremely close to the neighbouring fence of 189 - in total some 65m² (700 sq. Ft.) of raised terrace; this would introduce further overlooking concerns, and result in even more loss of privacy to the occupiers of No. 189. It should be noted that under permitted development rights, a raised platform is permitted to be .3m in height; the raised platform proposed is 2.5x taller than this; permitted development rights are designed to represent a generally acceptable standard, and such an extreme deviation from this standard suggests that unacceptable impacts would occur.

The orientation of the extension would also lead to unacceptable levels of noise pollution on the occupiers of No. 189; as outlined above, the extension would have a significant set of bifold doors, which would be able to fully open; this would leave the entire inside space facing directly towards the boundary of No. 189, and given the social nature of the rooms within the extension, would almost certainly lead to noise impacts on these neighbours.

It is also noted that there are upper floor, side facing windows which face directly towards both neighbouring gardens; it is not noted whether these would be fixed shut and obscurely glazed, and as such, they would result in unacceptable overlooking impacts on neighbouring occupiers. The plans also do not outline whether the large rear window serving the en-suite would be non-opening and obscure glazed; given that this serves a bathroom, the non-obscuring of the window would be unacceptable. Without prejudice, these should remain obscure glazed to their current level, and any new windows should be obscure glazed to Pilkington Standards 3 or above, and non-opening.

Furthermore, a number of the side elevation windows to the upper floor are not shown as obscure glazed and non-opening; this would result in a loss of privacy for the occupiers of No. 189.

The proposal would have significant and unacceptable impacts on the residential amenity of both neighbouring occupiers; the development fails to comply with Policies SL1 and SD14 of the Local Plan, or the relevant provisions of the NPPF, and as such, the application should be refused.

Conclusion:

It is considered that the proposal would result in significant negative visual impacts on the character of the existing dwelling and would result in extreme and unacceptable impacts on the residential amenity of neighbouring occupiers; as such, the application should be refused.

There is no objection to an extension on the site; however, this would need to be significantly reduced from the current submission, in order to ensure that the proposal is acceptable in terms of residential and visual amenity; a number of nearby dwellings have had modest extensions erected, which are significantly smaller in size, feature low pitched roofs which have been designed with the sloping ground levels in mind, and do not result in significant overlooking impacts on neighbouring occupiers. In this instance, due to the specific topography of the site, as well as the raised platforms they will sit upon ranging from 0.75m at 189's boundary to 1.21m at 185's, the only acceptable way forward is:

1. The removal of the proposed 2 storey extension above the garage - due to overbearing/ loss of daylight/ impact on garden amenity space/ subservience issues;
2. The removal of the proposed 2 storey addition - due to overbearing/ loss of daylight/ overlooking/ loss of privacy/ impact on garden amenity space/ subservience issues;

3. Lowering of the proposed single storey extension including re-positioning to face into 187's garden. There is ample space to wrap this single storey around the existing rear elevation - due to overlooking/ loss of privacy/ impact on garden amenity space/ creation of additional noise, and the adherence to the criteria set out within the GPDO;
4. Any glazing on the side elevation facing 189 needs to remain obscure - due to overlooking/ loss of privacy;
5. Any proposed additional bathrooms/ en-suites (whether at higher level or not) must have a minimum Pilkington Grade 3 obscured glazing.

Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA Ref: 3197B

24th April 2024

RE: Representation to application ref: 24/00435/FUL: Revised Plans for two storey and single storey side/rear extensions at 187 Leckhampton Road, Cheltenham, GL53 0AD

Dear Miss Payne,

We have been instructed by [REDACTED] of 189 Leckhampton Road to review the above referenced application with revised plans submitted on the 2nd April 2024 and to consider whether they should submit any further representations in connection with the proposed development.

Having reviewed the submitted revised plans and documentation, we have reached the conclusion that the proposals are not acceptable in planning terms and have advised our clients to lodge a formal objection on the following grounds:

Proposed Site Block Plans 851-06A – missing proposed first floor side extension.

The proposed block plan only shows the proposed two storey and single storey rear extensions. The proposal includes a first-floor side extension above the existing garage which does not appear on the proposed block plan. Given the immediate proximity to the boundary of 185, it is important that this extension is included to allow for its impact to be understood and considered as part of the overall application.

There are also concerns that the distance between 189's boundary fence and 187's side porch is inaccurate, and it is believed that the plans show it to be about 600mm wider than it is.

Neighbouring Amenity

Adopted Cheltenham Plan Policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining landowners or the locality. In assessing impact on amenity, the Council should consider matters including, but not limited to, loss of privacy, loss of light, and overbearing impacts. These requirements are reiterated in adopted Joint Core Strategy (JCS) Policy SD14. In addition, the National Planning Policy Framework (NPPF) at paragraph 127 highlights the need to secure a high standard of amenity for existing and future users.

The applicant is proposing a revised scheme, the proposed first-floor side extension and two-storey rear extension are unchanged, with the single storey element which now proposed to extend 5.2m to the rear of the proposed two-storey extension, which is some 8m from the existing rear elevation. The proposal also includes a raised patio area to the rear which wraps to the side of 187 and between 187 and 189. This raised patio is extensive and is located immediately adjacent to and extends along approximately 10m of the boundary with 189. The raised patio measures approx. 65 m² (700 sq.ft. which is akin to 3 bedroom new build apartment) and is shown on plan to be set 0.7m above the existing garden level. The raised patio will therefore provide an extensive raised platform and provide a large vantage point which would provide for significant overlooking and loss of privacy of the private amenity space and property of 189. To allow for an understanding of this impact it is beneficial for the decision maker view and consider the proposal from the rear garden and property of 189.

The implications for the privacy of the occupants of 189 would therefore still be severe, as the proposal would result in excessive overlooking and have harmful impact on the private amenity of 189. Additionally, the proposals include a floor to ceiling en-suite window and seek to replace all frosted windows along the southern elevation to larger, transparent openings. The proposed openings would face directly into no.189's first floor children's bedrooms and therefore result in both a real and perceived loss of privacy for those occupiers. All windows on this elevation must remain obscure glazing to protect amenity. The proposed two-storey addition housing the en-suite master bathroom must also have obscure glazing (Pilkington Level 5) given this will be a further issue concerning overlooking and loss of privacy. Especially when viewed from the rear gardens of neighbouring properties both during the day and at night.

In respect of the rear single storey extension, the applicant proposes 5-panel bifold doors on the southern elevation, which again gives rise to amenity concerns due to its excessive size and positioning and that the ground floor of the extension is to be set 1.21m above the existing garden level. This extension and its outlook will face 189 directly rather than onto the applicants' own rear garden, with the elevated floor level of the extension it would provide outlook towards and result in a harmful impact on the private amenity of the garden and property of 189 by way of overlooking. It is also understood that the occupiers of no.187 recently cleared boundary vegetation between the properties which further intensifies the harmful overlooking impact. They did this in order to create a view of Leckhampton Hill. When proposals seek to create additional noise as a result of turning an extension to face a neighbour's garden (rather than looking down into their own garden) then these also need to be taken into account. The single storey re-positioning in facing 189 when the 5 bi-fold doors are open, from Spring to Autumn, will use the space to reverberate sound back into 189's garden, like a cave. Especially given the nature of the room proposed being the main lounge coupled with the huge raised terrace to socialise on will only add to the impact and enjoyment of 189's garden amenity space. It will also cause further distress once 189 open their bi-folding doors to hear the noise inside their house. Add the noise of BBQ's and paddling pools on the terrace which will be at the same height as 189, then you start to appreciate the impact these proposed plans create.

Current outlook from the garden of no. 189



Proposed overlooking of no. 187 towards no. 189.



Current outlook from the garden of no.189



Proposed overlooking of no. 187 towards no. 189.



Overall, the proposed development by virtue of its scale, height and superfluous openings will have a detrimental impact on the living conditions of the occupiers of the neighbouring properties, in terms of overlooking, a loss of privacy and overbearing impacts. The proposal is therefore contrary to Policy SD14 of the JCS and Policy SL1 of the Cheltenham Plan, as well as the guidance set out within paragraph 135(f) of the NPPF.

Design and layout

Policy SD4 of the JCS indicates how high-quality and well-thought-out design is a key element in producing sustainable development. The policy goes on to emphasise that development should positively respond to and respect the character and scale of the site and its surroundings. This is supported in Policy D1 of the Cheltenham Plan.

Further guidance is contained within the 'Residential Alterations and Extensions' Supplementary Planning Document (SPD). It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this SPD is subservience. The document advises that an "extension should not dominate or detract from the original building, but play a 'supporting role'". It goes on to state that extensions to the rear "should be subservient to the original building in height and width".

The proposed extensions have not been designed with subservience in mind. They are unduly dominant and would overwhelm and swamp the original dwelling appearance to the extent that its original form would be largely unrecognisable.

The proposed first floor side extension and two storey rear extension are not subservient in appearance to the original dwelling, with the width of the gable along with the ridge height and eaves all being set to proportions the existing property. The design seeks to maximise the size of the extension rather than consider the design impacts on the existing property and the surrounding area. This approach creates bulky and unsympathetic additions that would detract from the character and appearance of the host property and surrounding area and lacks the necessary subservience all required by policies D1, SD4 and the SPD.

Moreover, the proposals would have a detrimental visual impact on its surroundings as it would stand out as a large and incongruous feature within the surrounding area. The combination of concrete tiles, metal roofing, architectural pergola, render and timber cladding, together with the oddly chosen fenestration details, would also appear anomalous, and not in keeping with the character of the property.

Other rear extensions within the area step-down in order to create a sufficient visual gap, and also include flat or low-pitched roofs so that they are seen as subservient additions. Of note planning permission for 189 (17/00577/FUL) for a first-floor side extension required the submission revised plans to provide a hipped roof detail on the boundary with 187, with a 1 ½ storey design approach taken to ensure that the extension reads as subservient to the original dwelling. 189 have 2 steps leading down into the bedrooms created above the garage at FF level along with 2 sloping ceilings in order to deal with the subservience rules identified by CBC. It is noted that there is almost twice the distance between 187 and 189's side elevations when compared to the distance between 185 & 187's side elevations, thus proving the subservient impact that CBC identified on app 17/0577/ FUL.

Additionally, the proposals include an extensive amount of glazing which may have implications for light spill and light pollution, especially as the property is located within a short distance of the Cotswolds National Landscape (formerly known as an AONB). In terms of other times of the day, outside of darkness, the large areas of glazing to the south would be visible from Leckhampton Hill, as such, there is potential for reflections or a polarising light issue that would adversely affect the setting of the wider landscape. In such areas, development must be guided by Paras. 182 and 183 of the NPPF, Policy SD7 of the JCS and the advice of the Cotswold Conservation Board with reference to the latest iteration of the Cotswold AONB Management Plan. Together, these policies seek development proposals in, or within the setting of the National Landscape, to protect scenic views and to conserve dark skies by minimising light pollution.

In light of the above, the proposals conflict with section 12 and 15 of the NPPF, Policy D1 of the Cheltenham Plan, Policies SD4 and SD7 of the JCS, and the Residential Extensions and Alterations SPD, all of which seek to ensure extensions are well designed, subservient to the original dwelling and respond appropriately to context.

Drainage

Policy INF2 of the JCS advises that development proposals must avoid areas at risk of flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

This location has a high-water table as a result of the rainfall coming from Leckhampton Hill. This is evidenced by the fact no.189 has a 'wet cellar' with an automatic sump pump. Given the considerable amount of new hard surface areas proposed, the applicant needs to provide information on how surface water run-off will be managed. Damage to neighbouring properties could be caused if adequate drainage measures are not installed. As such, rather than conditioned, it is recommended that the applicant submits a Surface Water Drainage Strategy for consideration as part of this planning application. This will provide neighbours with reassurance that surface water run-off will be dealt with appropriately.

Summary

Having considered all of the above, the proposed development is considered to represent an unacceptable scale, form and design, which fails to respond to the existing pattern of development and the surrounding context and therefore fails to achieve an acceptable form of development. Furthermore, by virtue of its scale, its elevated position and relationship with neighbouring land users, the development will result in an unacceptable impact on neighbouring amenity in terms of visual impact, overbearing impact, overlooking impact; loss of privacy; perceived loss of privacy; impact on the enjoyment of garden amenity space and noise disturbance.

Overall, the planning application proposes a form of development that is in clear conflict of the adopted development plan and national planning policy and guidance. I therefore raise strong objections on behalf of the adjacent neighbour and respectfully request that the application is refused planning permission.

The residents of 185 and 189 are not against an extension to 187, however must object to this revised proposal for the reasons set out. If the applicant was minded to make further amendments to the application, it is suggested the following points are considered:

1. Removal of the proposed 2 storey extension above the garage - due to overbearing/ loss of daylight/ impact on garden amenity space/ subservience issues
2. Removal of the proposed 2 storey addition - due to overbearing/ loss of daylight/ overlooking/ loss of privacy/ impact on garden amenity space/ subservience issues
3. Lowering of the proposed single storey extension and patio area including re-positioning to face down 187's garden. There is ample space to wrap this single storey around the existing rear elevation - due to overlooking/ loss of privacy/ impact on garden amenity space/ creation of additional noise.
4. Any glazing on the side elevation facing 189 needs to remain obscure - due to overlooking/ loss of privacy
5. Any proposed additional bathrooms/ en-suites (whether at higher level or not) must have a minimum level 5 obscure glazing.

Should any further information be received relating to this application, I would like to be notified on behalf of my clients in order to provide additional representation, where necessary.

Yours faithfully,

Craig Hemphill | MRTPI
Senior Planning Consultant

Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA Ref: 3197A

24th April 2024

RE: Representation to application ref: 24/00435/FUL: Revised plans for two storey and single storey side/rear extensions at 187 Leckhampton Road, Cheltenham, GL53 0AD

Dear Miss Payne,

We have been instructed by [REDACTED] of 185 Leckhampton Road (185) to review the above referenced application with revised plans submitted on the 2nd April 2024 and to consider whether they should submit any representations in connection with the proposed development.

Having reviewed the submitted plans and documentation, we have reached the conclusion that the proposals are not acceptable in planning terms and have advised our clients to lodge a formal objection on the following grounds:

Proposed Site Block Plans 851-06A – missing proposed first floor side extension.

The proposed block plan only shows the proposed two storey and single storey rear extensions. The proposal includes a first-floor side extension above the existing garage which does not appear on the proposed block plan. Given the immediate proximity to the boundary of 185, it is important that this extension is included to allow for its impact to be understood and considered as part of the overall application.

Neighbouring Amenity

Adopted Cheltenham Plan Policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining landowners or the locality. In assessing impact on amenity, the Council should consider matters including, but not limited to, loss of privacy, loss of light, and overbearing impacts. These requirements are reiterated in adopted Joint Core Strategy (JCS) Policy SD14. In addition, the National Planning Policy Framework (NPPF) at paragraph 127 highlights the need to secure a high standard of amenity for existing and future users.

The combination of the proposed first floor side and two storey rear extension remain unchanged from the original proposal which will result in significant harm to the living conditions and amenity of the occupiers of no. 185 through considerable overbearing, overshadowing and a loss of natural light as a result of it sitting 1.21m above ground level. The proposed single storey rear extension, as revised, will also have a harmful impact. The proposed extensions would be at odds and fail to comply with policy requirements of SL1 of the Local Plan and SD14 of the JCS.

The site context and topography of this part of Leckhampton Road incorporates a slope which falls towards the north. This results in different ground floor and garden levels for individual properties, subsequently 185 is set at a significantly lower ground level than 187 which is an important site constraint to factor in. The fall in levels therefore significantly increases the impact of any extensions to the side and rear of 187 on the amenity and living conditions of the occupiers of 185. The levels drop from 189 to 187 by 0.75m and then gradually to 1.21m at the far width of the garden next to 185's fence. This is evidenced by the 7 downhill steps it takes to get from the utility room floor into the garden of 187 - as confirmed by their Architect under the Existing Plans

With the different site levels the missing information on the proposed block plan, as set out above, becomes even more important and is necessary to allow for a greater understanding of the impact of the combination of first floor side extension, two storey rear and single storey rear extension on 185. To fully allow for an understanding to this relationship and resulting harmful impacts a site visit to the garden and property of 185 would be beneficial to allow the decision maker to consider the impacts in the context of policy SL1 and SD14.

To assist the photograph below shows the changing levels between 187 and 185 (note the single storey eaves of each property which reflects the change in ground levels):



The application, as revised, would introduce a first-floor side extension with a height to ridge of 8.9m and which would run along the boundary with 185 some 6.8m. A further two storey extension with a height of 8.7m to ridge and would also run a further 2.72m along the boundary of 185. In combination this would create a built form of 8.8m in height to ridge (two-storey) running 9.5m along and immediately adjacent to the boundary of 185. In addition, a further 5.2m single storey extension of 4.62m to ridge is proposed. This will create a total expanse of 14.5m of new built mass directly on the boundary. As set out above the impact is further exacerbated due to the reduced ground level of 185 being some 1.21m lower. In addition, due to the site's aspect (187 is located to the south of 185) the scale of the proposal would also be likely to significantly reduce the level of natural light and cast shadows during most of the day to the detriment of the amenity of 185. At the scale proposed the extension would result in harm to the amenity of 185 on the grounds of being overbearing and loss of light.

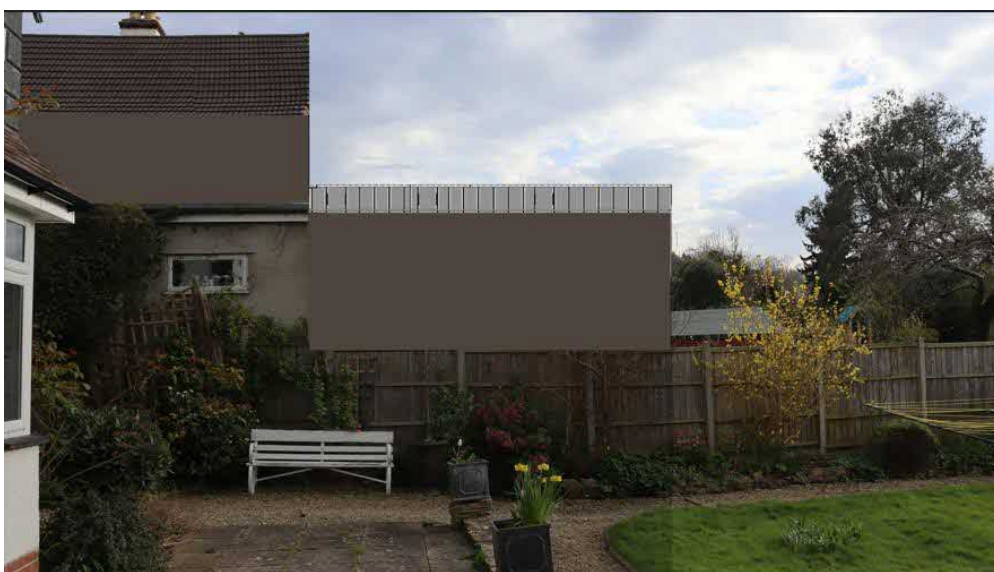
It would also appear that the proposed extension, with the changing site levels would fail to comply with the 45-degree light tests both in plan and elevation in respect of existing windows of 185 which serve the lounge and first floor bedroom windows. The plan and elevation 45 degree standards are set out in section 2 and figure 17 and 18 of the third and most recent version (2022) of the Bre Site Layout Planning for Daylight and Sunlight – A guide to Good Practice.

It is considered that the proposed development, as revised, by virtue of its scale, height and proximity to the boundary would have a detrimental impact on the living condition of the occupiers of neighbouring properties in terms of being overbearing, loss of privacy and loss of light and therefore does not follow the requirements of policies SL1 of the Local Plan, SD14 of the JCS and

Current outlook from the garden of no.185



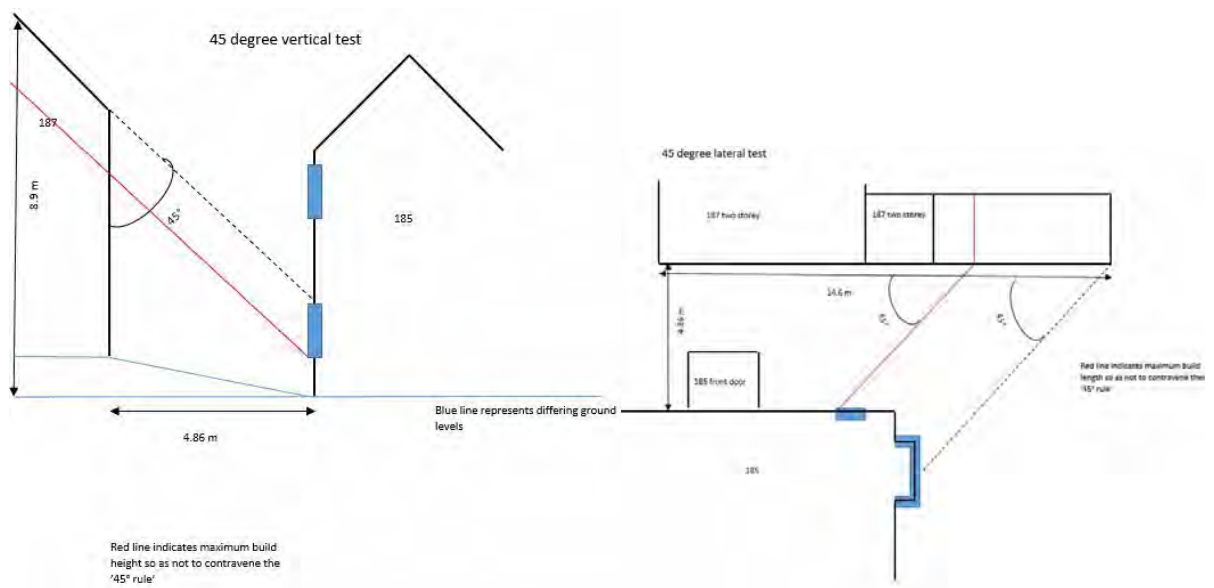
Proposed outlook from garden of no. 185



185 view today plus proposed building height marker.



45 degree line: vertical and lateral



Front door of 185 facing 187 and existing boundary relationship



Front door of 185 facing 187 with proposed first floor side extension and two storey and single storey rear extension



Design and layout

Policy SD4 of the JCS indicates how high-quality and well-thought-out design is a key element in producing sustainable development. The policy goes on to emphasise that development should positively respond to and respect the character and scale of the site and its surroundings. This is supported in Policy D1 of the Cheltenham Plan.

Further guidance is contained within the 'Residential Alterations and Extensions' Supplementary Planning Document (SPD). It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this SPD is subservience. The document advises that an "extension should not dominate or detract from the original building, but play a 'supporting role'". It goes on to state that extensions to the rear "should be subservient to the original building in height and width".

The proposed extensions have not been designed with subservience in mind. They are unduly dominant and would overwhelm and swamp the original dwelling appearance to the extent that its original form would be largely unrecognisable.

The proposed first floor side extension and two storey rear extension are not subservient in appearance to the original dwelling, with the width of the gable along with the ridge height and eaves all being set to proportions of the existing property. The design seeks to maximise the size of the extension rather than consider the design impacts on the existing property and the surrounding area. This approach creates bulky and unsympathetic additions that would detract from the character and appearance of the host property and surrounding area and lacks the necessary subservience all required by policies D1, SD4 and the SPD.

Moreover, the proposals would have a detrimental visual impact on its surroundings as it would stand out as a large and incongruous feature within the surrounding area. The combination of concrete tiles, metal roofing, architectural pergola, render and timber cladding, together with the oddly chosen fenestration details, would also appear anomalous, and not in keeping with the character of the property.

Other rear extensions within the area step-down in order to create a sufficient visual gap, and also include flat or low-pitched roofs so that they are seen as subservient additions. Of note planning permission for 189 (17/00577/FUL) for a first-floor side extension required the submission revised plans to provide a hipped roof detail on the boundary with 187, with a 1 ½ storey design approach taken to ensure that the extension reads as subservient to the original dwelling. 189 have 2 steps leading down into the bedrooms created above the garage at FF level along with 2 sloping ceilings in order to deal with the subservience rules identified by CBC

Additionally, the proposals include an extensive amount of glazing which may have implications for light spill and light pollution, especially as the property is located within a short distance of the Cotswolds National Landscape (formerly known as an AONB). In terms of other times of the day, outside of darkness, the large areas of glazing to the south would be visible from Leckhampton Hill, as such, there is potential for reflections or a polarising light issue that would adversely affect the setting of the wider landscape. In such areas, development must be guided by Paras. 182 and 183 of the NPPF, Policy SD7 of the JCS and the advice of the Cotswold Conservation Board with reference to the latest iteration of the Cotswold AONB Management Plan. Together, these policies seek development proposals in, or within the setting of the National Landscape, to protect scenic views and to conserve dark skies by minimising light pollution.

In light of the above, the proposals conflict with section 12 and 15 of the NPPF, Policy D1 of the Cheltenham Plan, Policies SD4 and SD7 of the JCS, and the Residential Extensions and Alterations SPD, all of which seek to ensure extensions are well designed, subservient to the original dwelling and respond appropriately to context.

Drainage

Policy INF2 of the JCS advises that development proposals must avoid areas at risk of flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

This location has a high-water table as a result of the rainfall coming from Leckhampton Hill. This is evidenced by the fact no.189 has a 'wet cellar' with an automatic sump pump. Given the

considerable amount of new hard surface areas proposed, the applicant needs to provide information on how surface water run-off will be managed. Damage to neighbouring properties could be caused if adequate drainage measures are not installed. As such, rather than conditioned, it is recommended that the applicant submits a Surface Water Drainage Strategy for consideration as part of this planning application. This will provide neighbours with reassurance that surface water run-off will be dealt with appropriately.

Summary

Having considered all of the above, the proposed development is considered to represent an unacceptable scale, form and design, that is not subservient to the original dwelling and fails to respond to the existing pattern of development and the surrounding context and therefore fails to achieve an acceptable form of development. Furthermore, by virtue of its scale, its elevated position and relationship with neighbouring land users, the development will result in an unacceptable impact on neighbouring amenity in terms of visual impact, overbearing impact, overshadowing impact; loss of daylight; impact on the enjoyment of garden amenity space.

Overall, the planning application proposes a form of development that is in clear conflict of the adopted development plan and national planning policy and guidance. I therefore raise strong objections on behalf of the adjacent neighbour and respectfully request that the application is refused planning permission.

The residents of 185 and 189 are not against an extension to 187, however must object to this revised proposal for the reasons set out. If the applicant was minded to make further amendments to the application, it is suggested the following points are considered:

1. Removal of the proposed 2 storey extension above the garage - due to overbearing / overshadowing / loss of daylight/ impact on garden amenity space/ subservience issues
2. Removal of the proposed 2 storey addition - due to overbearing/ overshadowing/ loss of daylight/ overlooking/ loss of privacy/ impact on garden amenity space/ subservience issues
3. Lowering of the proposed single storey extension and patio area including re-positioning to face down 187's garden. There is ample space to wrap this single storey around the

existing rear elevation - due to overlooking/ loss of privacy/ impact on garden amenity space/ creation of additional noise.

4. Any glazing on the side elevation facing 189 needs to remain obscure - due to overlooking/ loss of privacy
5. Any proposed additional bathrooms/ en-suites (whether at higher level or not) must have a minimum level 5 obscure glazing.

Should any further information be received relating to this application, I would like to be notified on behalf of my clients in order to provide additional representation, where necessary.

Yours faithfully,

Craig Hemphill | MRTPI
Senior Planning Consultant

Planning Offices
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24.4.2024

Planning Application 24/00435/FUL - 187 Leckhampton Road, Cheltenham, GL53 0AD
Planning Officer: Miss Michelle Payne

We write to confirm that we still object to the plans submitted in this application.
Although there have been some alterations made, the proposed plans still fail in several areas:

Overshadowing and loss of light, overbearing impact due to its' height and scale, use of materials which do not compliment the original dwelling, and detrimental impact on our living conditions.

Scale and Dominance

The extensions are intended to sit right on the boundary line between no 185 and 187. There will still be an overbearing effect caused by the height of both the single and the two storey extensions and their proximity to no 185.

The ground floor of No 187 is already higher than no 185, because the houses are built on a hill.

No 187 is proposing to raise its' ground floor up by another 1.2 metres above this which gives a totally unreasonable height for the single storey extension.

The change in roof line on the double extension and its' closeness to no 185 mean that we will be overshadowed and lose light to our South facing windows. It will have an overbearing effect.

The resultant building would still be contrary to Policy SD14 of the 'Joint Core Strategy', Policy SL1 of the 'Cheltenham Plan' and the guidance set out withing paragraph 135 of the 'NPPF'.

Residential Amenity (overshadowing and overlooking)

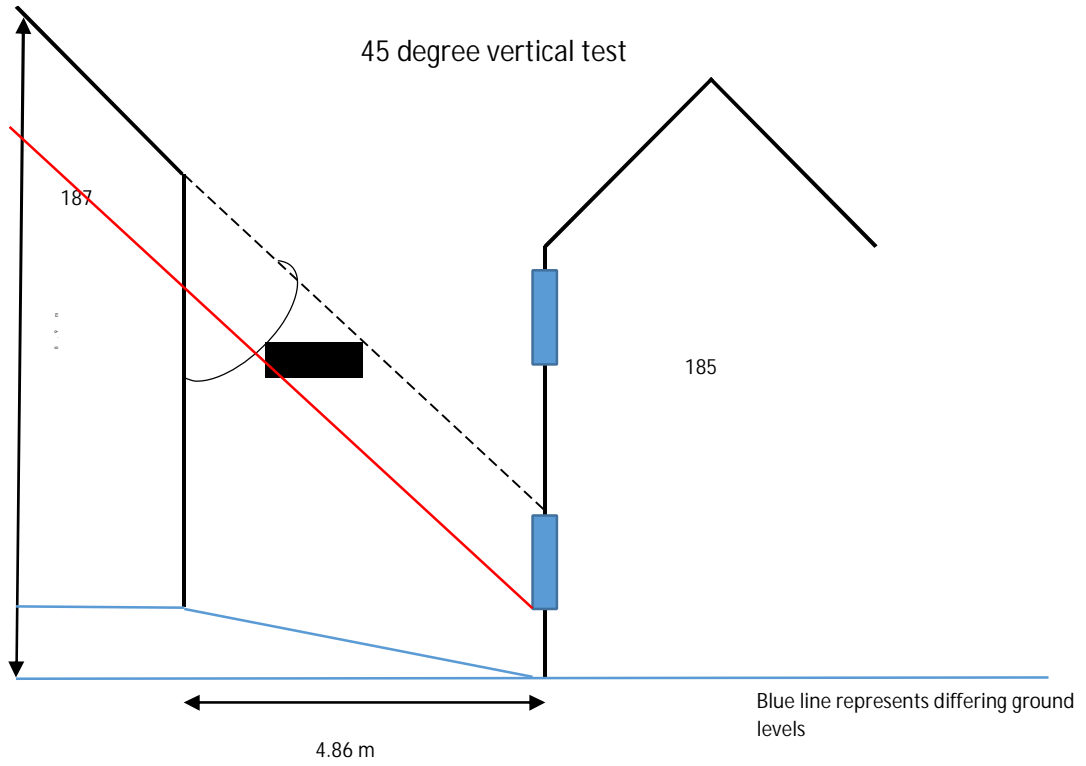
The alterations which have been made to the original plans still do not alter any of our original objections.

The height of the extensions will mean that our amenity will be severely impacted as they will have an overbearing effect. We will lose both light and outlook from our South facing windows and our outside seating areas.

The extensions will dominate due to their size and height. Things will be made worse by the fact that the walls will be solid render with only one window across the whole expanse.

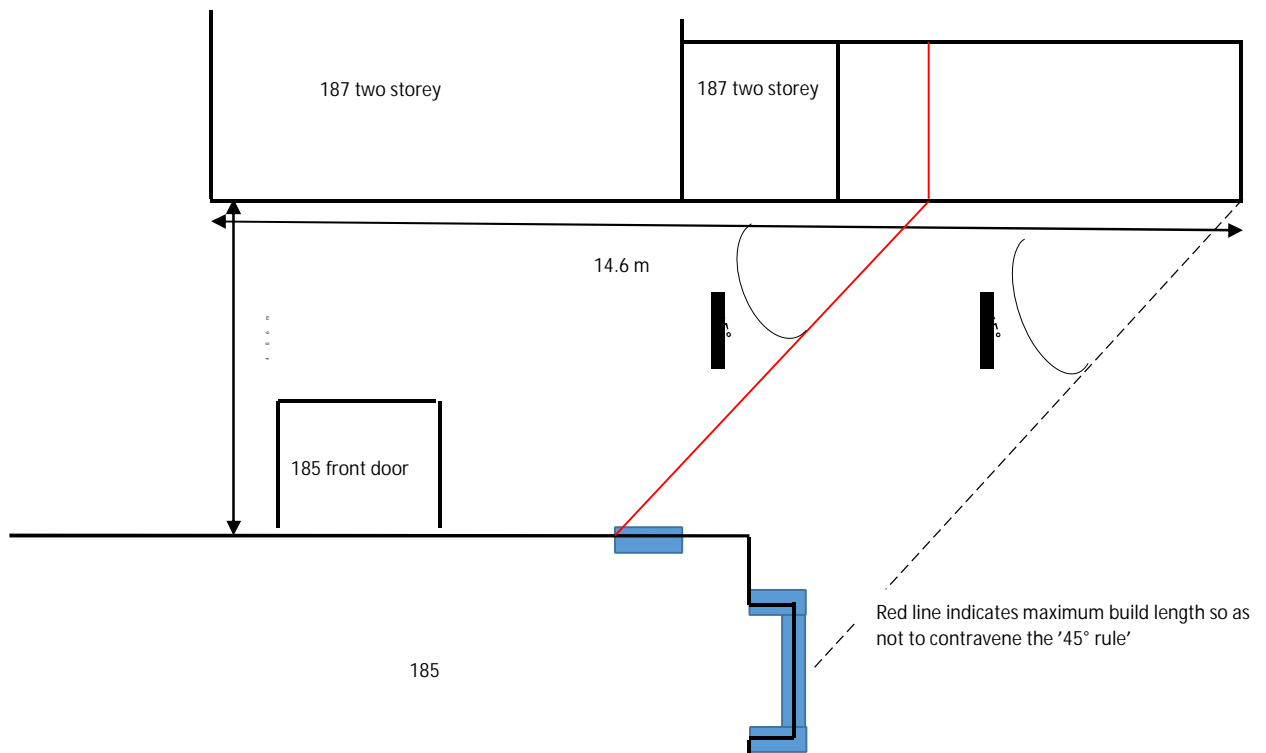
We believe that both the vertical and lateral 45% rule will be breached by the extensions (see below diagrams).

Continued.....



Red line indicates maximum build height so as not to contravene the '45° rule'

45 degree lateral test



The 'Joint Core Strategy' states that the Council will give regards to matters such as lost daylight. It will also give regard to loss of outlook.

It also states that development will only be permitted when it will not cause unacceptable harm to the amenity of adjoining land users.

Appearance (design and materials)

Our original objections towards the proposed materials remain. Although plans for the roof include lowering its' original projection, the suggested metal material is totally out of keeping with the character of other houses in the area, as is the pergola running along much of the rear of the house and overpowering its' existing features.

Both the single and two storey extensions lack subservience to the original house and will change its' essential characteristics.

Should the plans be given approval, we will see a huge mass of render and metal, both from all our south facing side windows, our main rear windows and our patio and outside seating areas.

The appearance contradicts NPPF paragraph 135, section b

Planning Practice guidance states that achieving good design should work well for everyone – this will not be the case.

Policy D1 requires that new development should respect neighbouring development – it will not.

Policy SD4 states that new development should be of a scale, type, and density appropriate to the site and its setting. Massing and overbearing are in contradiction of this policy.

As a conclusion, there are still multiple examples of the suggested plans being contrary to current planning policies and strategies.

As stated in the 'NPPF' - "Development that is not well designed should be refused"

Our other points for consideration have not changed from our original objection and we remain very concerned over the effects of such a large area of earth being removed in a flood plain.

Summary

In consideration of all the above, this planned design is still of unacceptable scale, mass, form, and design. The loss of light and overshadowing to 185 will have a severe impact on 185's living conditions.

The negative impact on 185 and its neighbours' amenity due to visual impact, massing and being overbearing makes this planning application unacceptable. We therefore, strongly object and respectfully request that this application is refused planning permission.

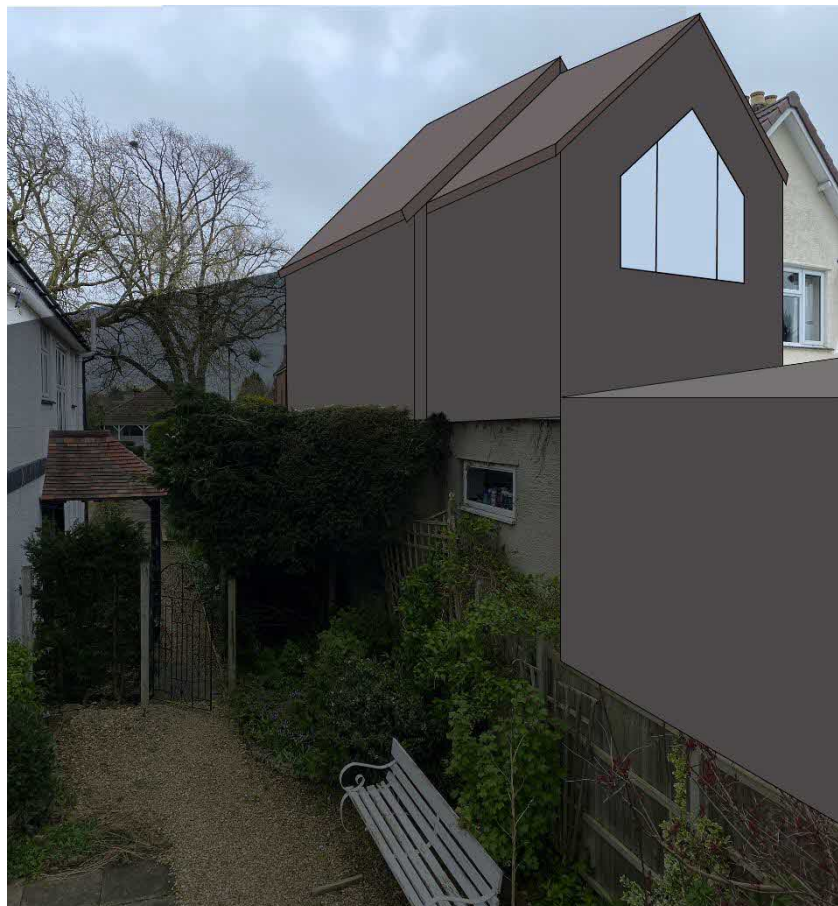
In the event this application is referred to the 'Planning Committee', we kindly request that we are given notice so that we are able to address the Planning Committee directly.

Signed:



Date: 24/04/2024

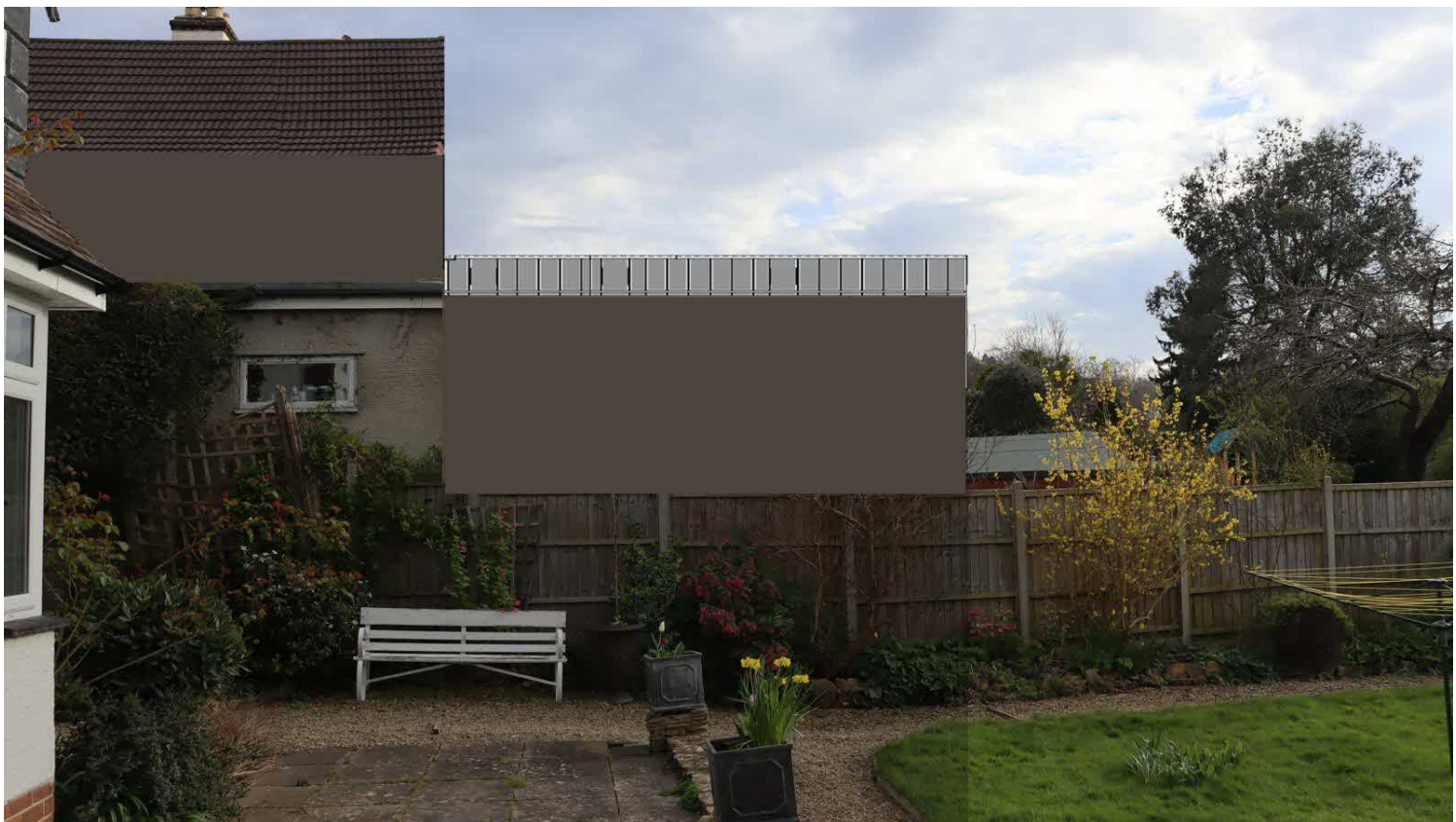
(see below images/photos):-



The raising of the floor level, the height of the two-storey extension and the re-pitching of the roof provide an example of over massing and will be overbearing to no 185.



Our patio and external seating areas would be dominated by the single storey extension. Its' ground floor level would be raised by 1.2 metres over and above 185's ground floor level. In essence, this extension would be built on top of a 1.2 m high platform and will be right against the boundary fence!



This design is not in keeping with the character of the existing houses.

Angus and Helen Hogarth meeting with with Alice and Kevin Costello – 22.3.24

AC started off by saying that the plans which had been submitted would be adjusted as both she and KC were aware of the upset that both neighbours were feeling.

She also said that she had been given an indication from the planners that, apart from the width of their proposed balcony, planning permission would be granted.

(AH later followed this up with a phone call to the planning office who said that they had contacted the architects and advised them that CBC supported the idea of extending but that the balcony was unacceptable).

AC commented at a later stage that she was prepared to abandon the idea of a balcony. It was going to be very expensive and she doubted if it would be used that much anyway.

We looked at proposed building height and scale from the patio of 185.

Both AC and KC agreed that the proposed extension would impact us greatly and that we would lose all sight of the hill.

AC then confirmed that the idea of extending was for herself and KC to have a view of the hill from their sitting room.

They stated that they would like to find a happy medium. They definitely want to build so that they have a view of the hill but know that we will be unhappy about the idea of them building anything. AH stressed that everyone has a right to alter their property and although we would ideally not like the extension built, it would be far better if compromises were made all round and good relations with neighbours and the community could be maintained.

AC discussed how the extension at no 191 had been done and noted that they had built out into their garden but on a smaller scale than the proposed works.

We discussed extending only across the back of the house. AH asked if AC and KC had a view of the hill from the existing conservatory. AC replied that she wasn't sure as they hardly ever went in there. It was either too hot or too cold and there were blinds pulled over the windows!

Discussions were had about the possibility of stepping down into the proposed side extension but AC said that she would not be prepared to do that.

She also commented that they were worried that they might spend a great deal of money on the extension only to find that no 189 might copy this idea and then similarly build down the side of their garden. This would then block the view of the hill that AC and KC had paid so much to create.

AC talked about changing the roof style on the planned extension to one with a far lesser pitch so that we might still be able to see the hills.

AC and KC both agreed that they would probably scale back to length of the side extension to about 4metres from the existing rear elevation (laundry room).

Both AC and KC agreed that they had submitted the plans knowing that they would probably have to scale them back and re submit.

When asked if it might have been better to discuss their ideas before submitting the planning application, AC responded that it would be too complicated trying to take everyone's' views into account.

We talked about them doing the work in 3 phases because of costs. HH discussed the fact that this could, effectively, lead to approximately 3 years of having disruptive building work being done.

As a conclusion we asked if they would withdraw planning permission, knowing that the plans that have been submitted are not the actual intended plans. AC was unwilling to do that.

We asked about putting the plans on hold whilst new drawings were submitted but AC was not sure if you could do that.

AC then commented that “it could be worse – you could have ended up with developers buying the land and building 3 houses on it.”

It was agreed that communications would be left open and any ideas for altering the plans would be shared with us.

Planning • Design • Development

Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA Ref: 3197B

2nd April 2024

RE: representation to application ref: 24/00435/FUL for two storey and single storey side/rear extensions at 187 Leckhampton Road, Cheltenham, GL53 0AD

Dear Miss Payne,

I have been instructed by [REDACTED] of 189 Leckhampton Road to review the above referenced application and to consider whether they should submit any representations in connection with the proposed development.

Having reviewed the submitted plans and documentation, I have reached the conclusion that the proposals are not acceptable in planning terms and have advised my clients to lodge a formal objection on the following grounds:

Neighbouring Amenity

Adopted Cheltenham Plan Policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining landowners or the locality. In assessing impact on amenity, the Council should consider matters including, but not limited to, loss of privacy, loss of light, and overbearing impacts. These requirements are reiterated in adopted Joint Core Strategy (JCS) Policy SD14. In addition, the National Planning Policy Framework (NPPF) at paragraph 127 highlights the need to secure a high standard of amenity for existing and future users.

The applicant is proposing to build a two-storey rear extension with a balcony and external staircase, as well as a single storey element which extends 12-metres to the rear. Turning firstly to the first-floor element, the balcony would provide occupiers with views towards the south and west, which includes Leckhampton Hill. However, this would also introduce an elevated and

projecting vantage point over neighbouring gardens, particularly over that of no. 189 Leckhampton Road. As demonstrated by figures 1 and 2 below

Figure 1 - current outlook from the garden of no.189



Figure 2 - proposed outlook from the garden of no.189



The implications for the privacy of the occupants of no. 189 would be severe, as the proposal would result in excessive overlooking and inadequate levels of privacy. The balcony would also increase external activities and usage and would inevitably result in noise disturbance for surrounding occupants. Additionally, the proposals include a floor to ceiling en-suite window and seek to replace all frosted windows along the southern elevation to larger, transparent openings. The proposed openings would face directly into no.189's first floor children's bedrooms and therefore result in both a real and perceived loss of privacy for those occupiers. All windows on this elevation must remain obscure glazing to protect amenity.

In respect of the rear single storey extension, the applicant proposes 9-panel bifold doors on the southern elevation, which again gives rise to amenity concerns due to its excessive size and positioning. The doors will face no. 189 directly, rather than onto the applicants' own rear garden. Accordingly, when opened during the spring and summer months, the noise from the proposed sitting room and gym will amplify straight into no. 189's garden. It's understood that the occupiers of no.187 recently cleared boundary vegetation between the properties so noise and privacy issues cannot even be softened by landscaping.

Figure 3 - current outlook from the garden of no.189



Figure 4 - proposed outlook from the garden of no.189



The single storey rear extension measures 12-metres in length with a pitched roof and a maximum ridge height of 6.9-metres. The scale of this proposed extension is substantial, and the height cannot be justified. Thus, its height coupled with its rear-ward projection will have an oppressive and overbearing effect when viewed from the rear gardens of the adjoining properties, particularly so in the case of no. 185 and those properties further down the hill, due to the drop in land levels. The development would therefore have an adverse overbearing effect that would result in unduly oppressive living environment for surrounding neighbours.

Overall, the proposed development by virtue of its scale, height and superfluous openings will have a detrimental impact on the living conditions of the occupiers of the neighbouring properties, in terms of overlooking, a loss of privacy, noise disturbance and overbearing impacts. The proposal is therefore contrary to Policy SD14 of the JCS and Policy SL1 of the Cheltenham Plan, as well as the guidance set out within paragraph 135(f) of the NPPF.

Design and layout

Policy SD4 of the JCS indicates how high-quality and well-thought-out design is a key element in producing sustainable development. The policy goes on to emphasise that development should positively respond to and respect the character and scale of the site and its surroundings. This is supported in Policy D1 of the Cheltenham Plan.

Further guidance is contained within the 'Residential Alterations and Extensions' Supplementary Planning Document (SPD). It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this SPD is subservience. The document advises that an "extension should not dominate or detract from the original building, but play a 'supporting role'". It goes on to state that extensions to the rear "should be subservient to the original building in height and width".

The proposed extensions have not been designed with subservience in mind. They are unduly dominant and would overwhelm and swamp the host dwellings appearance to the extent that its original form would be largely unrecognisable. Especially as the applicants' seek to turn the building 90-degrees, in order to maximise views across neighbouring gardens and up to Leckhampton Hill. Thus, they would be appreciated as unacceptably bulky and unsympathetic additions that would seriously detract from the character and appearance of the host property. Moreover, the proposals would have a detrimental visual impact on its surroundings as it would stand out as a large and incongruous feature within the landscape setting. The combination of concrete tiles, metal roofing, render and timber cladding, together with the oddly chosen fenestration details, would also appear anomalous, and not in keeping with the character of the property.

It's important to highlight that the finished floor levels of the extension range from 1.21-metres to 1.66-metres above ground level, meaning the applicants' will require 6-steps just to access their own garden. While it's assumed the applicant has pursued this layout in order to achieve views of Leckhampton Hill, this will further exacerbate harm as it will create a 'towering' effect. Consequently, the proposals would be hugely prominent in views from surrounding neighbours, especially to those further down the hill due to the change in land levels. Other rear extensions

within the area step-down in order to create a sufficient visual gap, and also include flat or low-pitched roofs so that they are seen as subservient additions. If the proposals are approved in its current form, it could set a precedent that may make it more likely for similar proposals to be approved in the future which, in time, would erode the character and appearance of the area.

Additionally, the proposals include an extensive amount of glazing which may have implications for light spill and light pollution, especially as the property is located within a short distance of the Cotswolds National Landscape (formerly known as an AONB). In terms of other times of the day, outside of darkness, the large areas of glazing to the south would be visible from Leckhampton Hill. As such, there is potential for reflections or a polarising light issue that would adversely affect the setting of the wider landscape. In such areas, development must be guided by Paras. 182 and 183 of the NPPF, Policy SD7 of the JCS and the advice of the Cotswold Conservation Board with reference to the latest iteration of the Cotswold AONB Management Plan. Together, these policies seek development proposals in, or within the setting of the National Landscape, to protect scenic views and to conserve dark skies by minimising light pollution.

In light of the above, the proposals conflict with section 12 and 15 of the NPPF, Policy D1 of the Cheltenham Plan, Policies SD4 and SD7 of the JCS, and the Residential Extensions and Alterations SPD, all of which seek to ensure extensions are well designed and respond appropriately to context.

Drainage

Policy INF2 of the JCS advises that development proposals must avoid areas at risk flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

This location has a high-water table as a result of the rainfall coming from Leckhampton Hill. This is evidenced by the fact no.189 has a 'wet cellar' with an automatic sump pump. Given the considerable amount of new hard surface areas proposed, the applicant needs to provide information on how surface water run-off will be managed. Damage to neighbouring properties could be caused if adequate drainage measures are not installed. As such, rather than conditioned,

it is recommended that the applicant submits a Surface Water Drainage Strategy for consideration as part of this planning application. This will provide neighbours with reassurance that surface water run-off will be dealt with appropriately.

Summary

Having considered all of the above, the proposed development is considered to represent an unacceptable scale, form and design, which fails to respond to the existing pattern of development and the surrounding context and therefore fails to achieve an acceptable form of development. Furthermore, by virtue of its scale, its elevated position and relationship with neighbouring land users, the development will result in an unacceptable impact on neighbouring amenity in terms of visual impact, overbearing impact, noise disturbance and a loss of privacy.

Overall, the planning application proposes a form of development that is in clear conflict of the adopted development plan and national planning policy and guidance. I therefore raise strong objections on behalf of the adjacent neighbour and respectfully request that the application is refused planning permission.

Concluding remarks

It appears that the applicants' have presented a scheme without giving any thought to the amenity of neighbouring properties. This is hugely disappointing and emphasises the importance of pre-application consultation. The neighbours do not oppose the principle of a householder extension, and therefore, it is likely that such issues could have been openly discussed and resolved prior to submission of this application. Instead, time and money has been wasted by all parties through the submission of ill-advised and poorly designed plans.

Following notification of this application from the Council, the occupiers of no.'s 185 and 189 met with the applicants' to voice their concerns. The minutes of these meetings have been submitted alongside this letter for consideration. It appears that the applicants' are open to amending the proposals and so it is recommended that an alternative scheme is progressed which is more in line with other properties along Leckhampton Road - for example, an extension should be:

1. single storey;

Planning ▪ Design ▪ Development

2. run the length of rear elevation rather than protruding 12-metres to the rear;
3. in gradient with the lie of the land;
4. significantly reduced in height (flat roof recommended);
5. omission of balcony;
6. significant reduction in glazing/bi-folding doors; and
7. obscure glazing to be retained on side elevations.

Should any further information be received relating to this application, I would like to be notified on behalf of my clients in order to provide additional representation, where necessary.

Yours faithfully,



Lorelie Davies | MRTPI
Associate Director

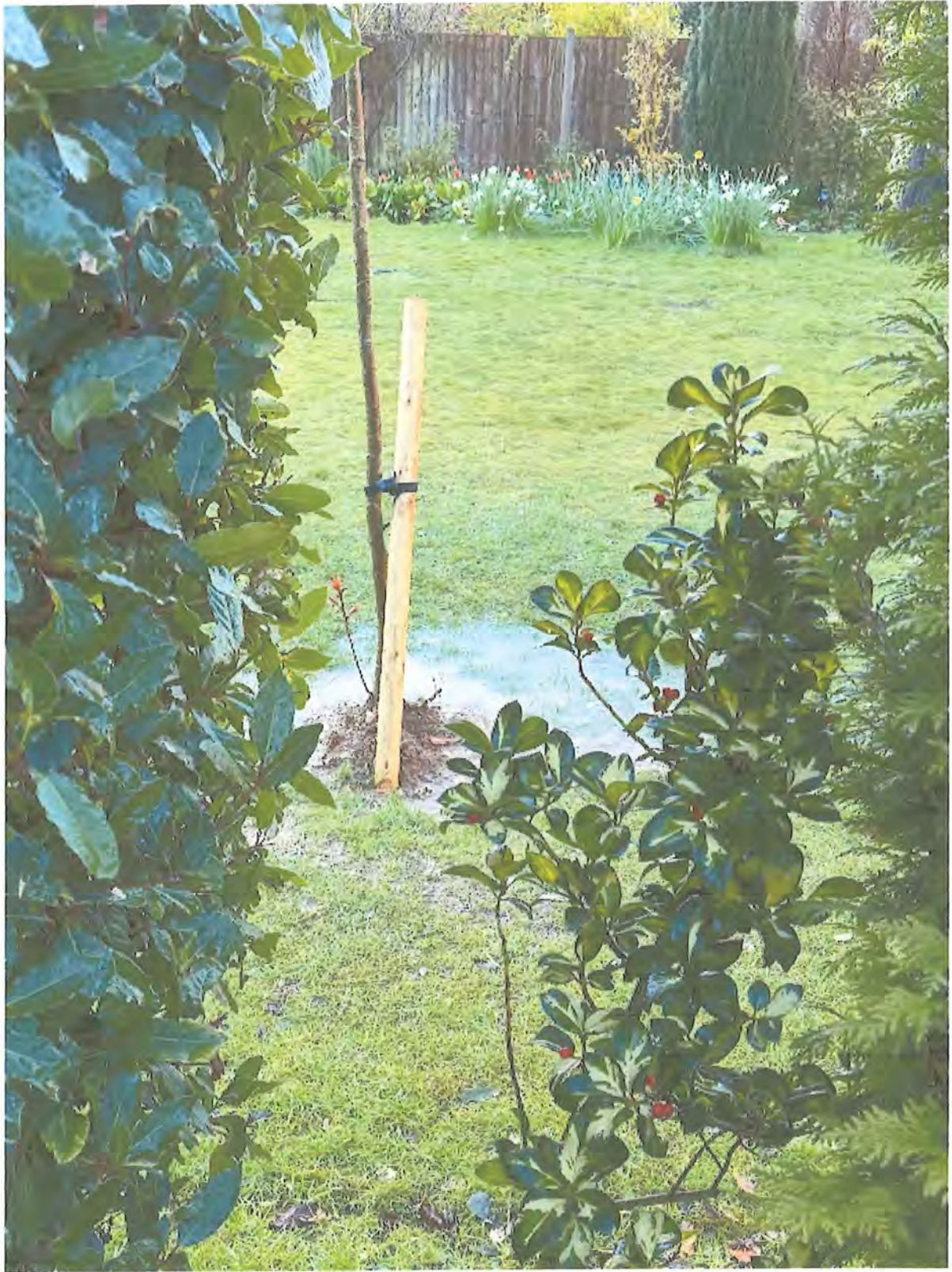




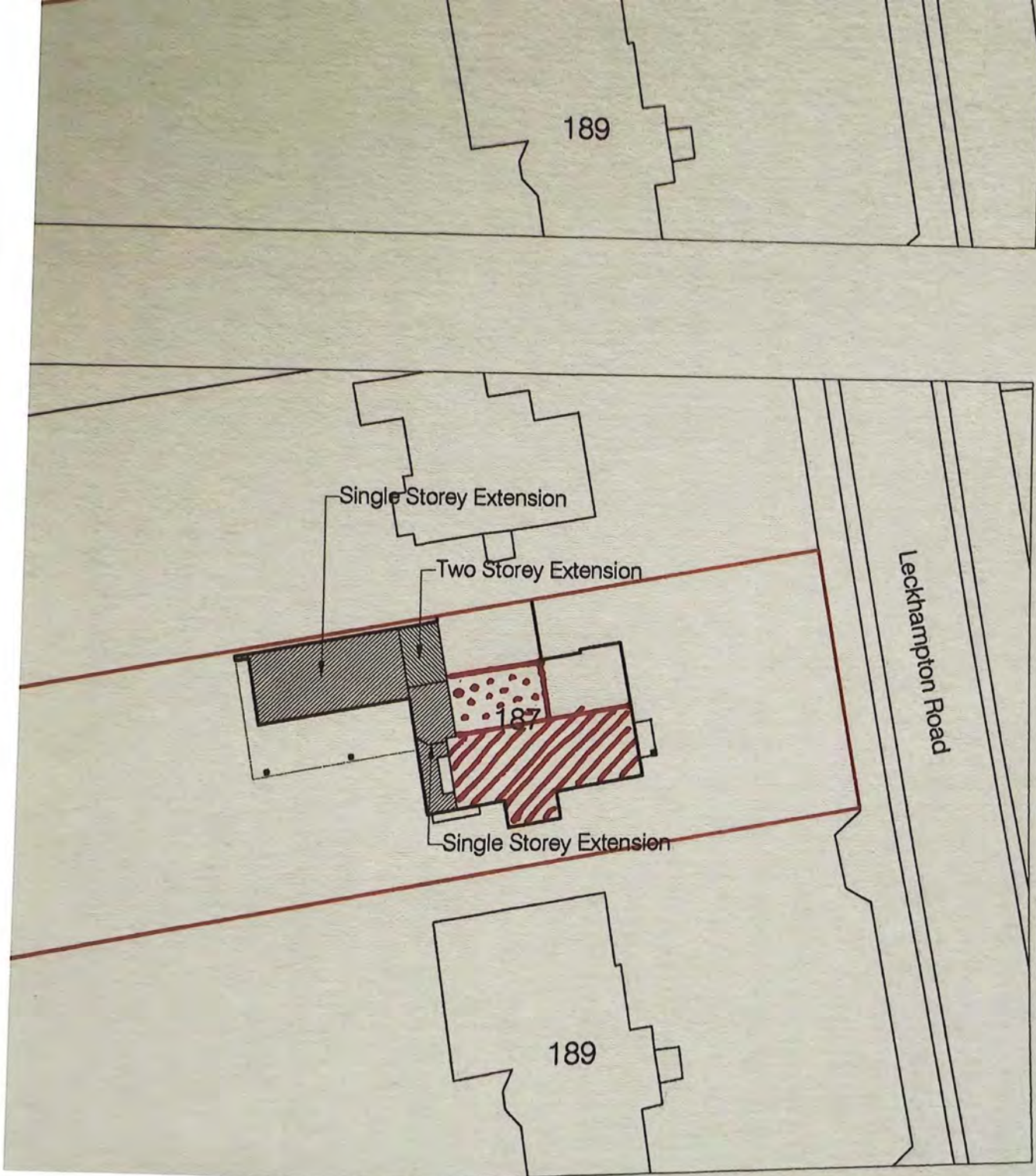












2 storey mass
Gnd flr mass

Rev.	Date	Revisions
-	-	-

PSK
architect

Your Home Extension Specialists

PSK Cheltenham Ltd
41 Bath Road
Cheltenham
GL53 7HQ
Tel. 01242 304477

TITLE

Mrs. Alice Costello
187 Leckhampton Road
Cheltenham
GL53 0AD

DESCRIPTION

Two Storey Extension

Site Plan & Block Plans
As Existing & Proposed

DATE	SCALE
08.03.24	1:500 @ A3

DRAWN	CHECKED
	DSK

Tuesday, 02 April 2024

Objection to Application 24/00435/FUL

Site Address: 187 Leckhampton Road, Cheltenham, Gloucestershire, GL53 0AD

Description: Part two storey/part single storey side/rear extension

Introduction:

This objection letter relates to application 24/00435/FUL, which is a householder planning application for a part two storey/part single storey side/rear extension to 187 Leckhampton Road, Cheltenham, Gloucestershire, GL53 0AD.

Relevant Planning History:

Reference Number:	Description:	Decision:
85/01473/PF	Extension to existing dwelling to provide a private car garage and utility room	Permitted 21 November 1985
86/01621/PF	Alteration and extension to existing dwelling to provide an enlarged kitchen	Permitted 2 nd June 1986

Relevant Planning Policy:

National Planning Policy:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG)

Local Planning Policy:

Adopted Cheltenham Plan 2020 (CP)

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS)

SD4 Design Requirements

SD14 Health and Environmental Quality

Supplementary Planning Guidance:

Residential Alterations and Extensions (2008)

Discussion of Scheme:

Procedural Issues:

It should be noted that the provided plans include a terrace/balcony area; this has not been included within the description of the development. It is considered that the description should be revised, to ensure accuracy.

Furthermore, the accuracy of the provided plans are questions; due to the topography of the site, the finished floor level to the end of the extension would sit significantly above ground level; it is questioned whether a topographical survey of the site was undertaken, and how accurate the provided measurements are.

Design and Visual Amenity:

Paragraph 135 of the NPPF states that planning decisions should ensure that all developments will add to the overall quality of the area over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, establish and maintain a strong sense of place using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit, optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development. Paragraph 139 of the NPPF goes on to state that development that is not well designed should be refused.

Planning Practice Guidance (PPG) states that achieving good design “is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations.”

Policy D1 requires alterations and extensions to existing buildings to avoid causing harm to the architectural integrity of the building; and the unacceptable erosion of open space around the existing building. All development is required to complement and respect neighbouring development and the character of the locality.

Policy SD4 states that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form. It should be of a scale, type, density, and materials appropriate to the site and its setting. Design should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live and having appropriate regard to the historic environment.

The existing dwelling is a characterful dwelling, with 2no. front gables, and a catslide style roof to the side, above the garage approved under application 85/01473/PF.

The two-storey element would extend above the existing garage, with a ridge height to match the existing dwelling. Though it would be set back from the dwelling’s principal elevation, it is considered that the matching ridge height lacks subservience, and would unduly dominate the original building by reason of its design and would visually overwhelm and detract from the original form and architectural detailing of the house, resulting in harm to the character of the dwelling and the surrounding street scene.

The proposed rear extension would result in negative visual impacts due to its significant footprint, bulk and massing; at its largest point, the single-storey extension would extend around 13.2m from the original rear elevation of No. 187, with another section of single-storey extension spanning the entirety of the rear extension, with a depth of 2.72m; the proposal would result in a 71% increase

compared to the existing depth of the property and a 67% increase in mass, when taken into account with the historic extensions to the property.

The photographs below show the rear of the dwellings along Leckhampton Road; it should be noted that none of these dwellings have extensions of the depth and mass proposed.



This photograph shows the same view, with the proposed extension superimposed:



Due to the sloping nature of the site, the extension would also be extremely tall, measuring 6.36m from ground level at its tallest point (though this figure is questioned due to the apparent lack of a topographical survey). As such, similarly to the first-floor extension, it lacks subservience, and appears as a dominant addition to the dwelling, designed to maximise space rather than being design led. This impact is exacerbated by the choice of materials, comprising timber cladding with a metal roof. The resultant development would appear as a discordant, dominant, and alien addition to the original dwelling.

Furthermore, terraces/balconies are not common features within the locality; and would further the visual harm of the proposed development.

In conclusion, the juxtaposition of the design, bulk, scale, and massing of the proposal with the existing property would result in visual harm to the character of the existing dwelling and the surrounding area. The proposal fails to comply with policies D1, SD4 and the advice contained within the Residential Alterations and Extensions SPD, or the relevant provisions of the NPPF. As such, the application should be refused.

Residential Amenity:

Paragraph 135 of the NPPF sets out six criteria against which planning decisions should meet to deliver well-designed places. This includes criteria (f), which requires development to “create places ... with a high standard of amenity for existing and future users.”

Planning Practice Guidance (PPG) states that achieving good design “is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations.”

SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality; these requirements are reiterated in adopted JCS policy SD14. Consideration will be given to matters including, but not limited to, outlook, privacy, and daylight.

The single-storey extension would extend around 13.2m from the original rear elevation of No. 187, and would sit on the northern boundary, which is shared with No. 185. No. 185 has a number of rear and side facing windows at ground and first-floor levels, which sit within close proximity to the site boundary; furthermore, the patio area sits directly next to the boundary, where the proposed extension would sit. A photograph from a side facing window and showing the relationship between the application site and the patio area of No. 185 is included below.

Though not determinative, it should be noted that under permitted development rights, single-storey rear extensions are generally permitted to be 4m in height with 3m eaves; the proposed extension is over 1.5x taller than this, which is representative of the significant levels of harm it would cause.

BRE Guidelines (Site layout planning for daylight and sunlight: a guide to good practice' (BR209 2022)) outline that built form within 45 degrees from the centre of a window is likely to result in an unacceptable loss of daylight and outlook.

In this instance, due to the proximity of the extension to the windows of the neighbouring property, and the height of the extension above these windows, it is clear that the proposed extension would fail this test, and as such, permission should be refused.

Image from Side Facing Ground-Floor Window of No. 185:



Image from Side Facing First-Floor Window of No. 185:



Image showing relationship between application site and patio area of No. 185:



The proposed extension would sit within extremely close proximity of this boundary, sitting 6.36m in height to the end (though this figure is questioned due to the apparent lack of a topographical survey). This would result in a significant loss of outlook and light to the side facing windows of No. 185, and significant overbearing impacts on the rooms which the windows serve.

Additionally, patio areas directly behind dwellings are generally understood to be the most well used area of the garden; the proposal would result in the erection of a significant structure within extremely close proximity to the patio, resulting in unacceptable enclosing and overbearing impacts, and a loss of light to the rear garden of the property.

An illustrative image of the outlook from the patio following development has been provided by the residents of No. 185; this is included below:



It is clear that this would result in a significant enclosing and overbearing impact, with a resultant loss of light to the patio and windows, and a loss of outlook from the windows of No. 185.

Furthermore, it is considered that the proposed balcony would result in unacceptable impacts on residents of No. 189; through both direct, and perceived overlooking.

This proposed terrace would offer high level, uninterrupted and direct views over the entire rear garden of No. 189, resulting in significant harm to the residential amenity of the occupiers.

Furthermore, the use of the terrace as an outdoor space would give rise to an increased *perception* of being overlooked. The perception of overlooking is a material consideration and is wholly different from direct overlooking. Terraces and balconies result in an increased perception of overlooking as residents will be able to physically see balcony users which results in a sense of being hemmed in. This approach is confirmed in appeals APP/K3605/W/20/3254942 and APP/K3605/W/20/3257997. Within the inspector's report for these appeals, it was stated that:

"The overlooking from a balcony in a raised position is more intrusive than that which would be experienced from a typical upper floor window, as it involves future residents sitting out at a raised level for long periods of time."

A photograph of the proposed location of the terrace from the garden of No. 189 is included below:



The balcony would be accessed externally via staircase, and will clearly be used for socialising, with large numbers of people using the space for extended periods of time; this would exacerbate the direct and perceived overlooking impacts outlined above. The image below shows an impression of the balcony, and the considerable overlooking impact it would bring:



Additionally, due to the sloping nature of the site, the finished floor level of the rear extension would sit significantly above the ground level below; the side elevation of the rear extension would have a significant number of glazed, bifold doors facing towards the garden of No. 189, resulting in further unacceptable overlooking impacts. The below image shows this unacceptable level of overlooking from the extension towards No. 189:



This floor level would be matched by the .75m tall, raised terrace, which would wrap around the rear of the dwelling; this would introduce further overlooking concerns, and result in even more loss of privacy to the occupiers of No. 189. It should be noted that under permitted development rights, a raised platform is permitted to be .3m in height; the raised platform proposed is 2.5x taller than this; permitted development rights are designed to represent a generally acceptable standard, and such an extreme deviation from this standard suggests that unacceptable impacts would occur.

The orientation of the extension would also lead to unacceptable levels of noise pollution on the occupiers of No. 189; as outlined above, the extension would have a significant set of bifold doors, which would be able to fully open; this would leave the entire inside space facing directly towards the boundary of No. 189, and given the social nature of the rooms within the extension, would almost certainly lead to noise impacts on these neighbours.

The proposal would have significant and unacceptable impacts on the residential amenity of both neighbouring occupiers; the development fails to comply with Policies SL1 and SD14 of the Local Plan, or the relevant provisions of the NPPF, and as such, the application should be refused.

Resolution:

There is no objection to an extension on the site; however, this would need to be significantly reduced from the current submission, in order to ensure that the proposal is acceptable in terms of residential and visual amenity; a number of nearby dwellings have had modest extensions erected, which are significantly smaller in size, feature low pitched roofs which have been designed with the sloping ground levels in mind, and do not result in significant overlooking impacts on neighbouring occupiers. The depth and height of the extension must be significantly reduced to make it acceptable, in line with other extensions to nearby dwellings.

Conclusion:

It is considered that the proposal would result in significant negative visual impacts on the character of the existing dwelling and would result in extremely and unacceptable impacts on the residential amenity of neighbouring occupiers; as such, the application should be refused.

Material points of objection to Application 24/00435/FUL

We live at 189 Leckhampton Road next to 187 Leckhampton Road on the SW boundary, being [REDACTED]

Prior to the lodging of this application the applicant took down 50% of the hedge between our boundaries, which included some of our trees and hedges on our side of the fence, had we not intervened their landscaping contractor would have taken down even more. They did this to create a view of Leckhampton Hill.

The following points have been documented to give a reason behind why they are material, as well as help paint a picture for those people who haven't visited the subject site, or 189's garden:-

1) Overlooking/ loss of privacy; the large outdoor balcony with external staircase, 2 storey ensuite bathroom with windows (both elevation and roof), a monstrous 13m 9 bi-folding door extension, and a huge raised outdoor terrace area which wraps around the entire rear elevation will look directly into our garden amenity outdoor space. We have young children and, in this day and age the importance of child protection, both on and off the internet is paramount, then we need to be mindful of what individuals this place would attract in future if this application is granted. The feeling of being 'constantly watched' given the applicant's proposed rooms of a main lounge and games room (pool table) within the 13m extension will be the most frequently used in their household, goes some way to confirming the extent of overlooking, as well the unnecessary invasion of privacy it will create.

Please note the enclosed images showing existing as well as the visual impact it will create from an overlooking/ loss of privacy concern should the Council grant permission.

2) Overbearing/Scaling; it will give the impression of a 'church building' effect in reaching heights of 6.9m at the far end, in addition to the 'tiered wedding cake' platform it sits upon. The 6 steps alone into the garden itself goes some way to explaining that. It will also give the premise to go higher (2-2.5 storeys) in the future using ridge height precedent for the 13m extension should you grant this permission, whether that is the intention later on or not. This in turn will grant enticement to others further down the road to 'jack up' their extensions even higher, thus creating viewing towers in order to generate a view of the hill, as well attempting to rise above the extensions in front of them. In turn leading to longer latitudinal extensions into gardens as a result, meaning more loss of garden/ wildlife space which the Council is trying to protect, and of course more flooding as a result of water run-off and funnelling from the hill due to the high water table that exists in this location. You only have to realise the staggering amount of fill required to create the raised outdoor terrace, given the land drops in level from 0.7m at our boundary fence to 1.21m across the rear elevation to 185's fence, and that's before you add the drop in land level which slopes into the garden. As a result it will create the same land level as our garden and we'll be able to see people at the same head height despite the land being 0.7m lower.

Please note the enclosed images showing existing as well as the visual impact it will create from an overbearing/ scaling concern should the Council grant permission.

3) Overmassing; as a result of coming out further into the subject's garden it gives the result of more visual impact and massing than is strictly necessary. Most if not all extensions maximise their space by extending longitudinally across the back elevation which will provide far less impact concerning massing, as well as providing more daylight and functionality for the applicant. It will also mean less

confrontation with neighbouring properties and less material objections as a result. Most extensions if not all are single storey and look into the applicants' own garden, not their neighbours! Only summer houses or sheds are usually afforded that luxury under permissible development rights.

Please note the enclosed images showing existing as well as the visual impact it will create from an overmassing concern should the Council grant permission.

4) Siting/ total change of aspect; there is no right to a view under planning yet this 13m latitudinal extension (at a FFL of 1.21m above ground level), 2 storey ensuite, and massive ranging balcony is being proposed in order to create a view of Leckhampton Hill - as confirmed by the applicant themselves - see minutes. The irony being that if the Council grant permission they will also obliterate any view 185 has in that direction, thus proving the selfishness of these plans. There is a total change of aspect and outlook from the existing property in turning the building 90 degrees to overlook and maximise the views across neighbouring gardens, and up the Hill. Note the applicants' comments under the Minutes of 20th Mar about why they wanted an external staircase.

Please note the enclosed images showing existing as well as the visual impact it will create from a re-siting/ total change of aspect concern should the Council grant permission.

5) Appearance, design and materials proposed; in relation to pts 2,3,4,5 the proposed appearance is out of character with the existing building as well as its neighbouring extensions. Having a high-pitched roof in an attempt to marry up with the existing roof plan does not delineate between 'old' and 'new'. Most if not all extensions are single storey, often flat roofed, for that reason to help delineate between old and new parts. The proposed roof materials as well as the glazing of 9 bi-folding doors will reflect solar glare (during both winter and summer) thereby reflecting back into our garden, but more importantly up Leckhampton Hill being in the designated AONB. They are proposing to keep the 1970 brown Marley ridgeback tiles (which the previous owner put on before they sold) which don't complement or go with the new modern metal seem roof/ powder coated windows or architectural pergola.

6) Precedent/ Others;

189 has 2 steps down in the middle of our single storey extension due to the natural lie of the land so creating a finished floor level 2 or 3 steps 'down' into the applicants' garden will help prevent a precedent of towering extensions in the future. It also wraps around the rear of our elevation about 50% and only projects out 4m. We also have a 0.7m drop from our garden level to 187's garden level.

191 has a wraparound extension at the rear with a side patio door looking onto their neighbour's fence, given the plot is so small compared to others. It also doesn't have the gradient or drop in land level there is between 185 and 189.

181 has a long brick garage/ store under a separate planning consent which is classed as 'ancillary buildings' under planning and therefore not habitable, and neither are they connected to the main house. They also return into their garden not up the Hill and are screened by large trees both sides of the fence, especially the return side into 179 Leckhampton Rd where the building has been split into 2 dwellings (177) meaning the garden is 50% smaller and screened further, with a double fence layer of trees and hedging.

7) Side elevation: 187 have removed the existing privacy/ frosted glass across the entire length of this West elevation in their application which means they can see straight into the Children's bedrooms of 189.

8) Flooding concerns - 189 has a 'wet cellar' with an automatic sump pump due to the high water table in this location, which is as a result of rain coming off Leckhampton Hill. Putting a 13m hard standing barrier in the way which also runs the full length of 187's rear elevation (outdoor terrace) will surely create more run off, funnelling and increase velocity into more congested built-up areas, thus potentially creating more flooding elsewhere. Does the applicant have a wet cellar? Will they be compounding the problem? or pushing this onto 185?

Please note the enclosed images taken of 187's garden confirming ground saturation. The Council should condition any plans with a Level 2 Flood Risk Assessment given the size of extension and mass fill required to create the raised outdoor terrace area - this will help condition the building from flooding by designing a sustainable drainage system below ground.

9) Noise:- is a material objection as long as it can be proven that the proposed plans seek to create it. The applicant's children are incredibly noisy when playing in their house and garden, so allowing them to have a 13m extension facing us, with the ability to open up the whole building using 9 bi-folding doors, will just amplify that noise like a resounding cave straight back into our garden amenity space, as well as our house when we have our bi-folds open - rather than down into their own garden. Especially given those rooms will be used as the main lounge area and Games room (pool table) where they will socialise a lot. The applicant confirmed during a meeting in our garden that "I know we have very noisy children".

10) Sustainability – Councillor Nelson visited our garden on 27th Mar and was appalled as well as disgusted at the submission of this application. She asked whether there were any solar panels? and we mentioned that it got to 50 degrees in our extension during record temps and we only have 3 bi-folding doors, so you can imagine the solar gain of 9 glass doors plus the other 4 across the rear. It's like building a greenhouse and worrying about it later. You can guarantee they'll be installing air conditioning as a result which is the total opposite of sustainability. All the gardens West facing and get the full exposure of the SW effect which explains a lot. The Architect's sustainability statement is a joke and should be chucked out.

Summary:-

It's as though they aren't happy with the plot they bought or the view into their own garden so now want to change the aspect, outlook, and the direction the house looks in by turning it 90 degrees.

An externally accessed balcony to socialise on

A large outdoor balcony with external staircase, 2 storey ensuite bathroom with windows (both elevation and roof), a monstrous 13m 9 bi-folding door extension, and a huge raised outdoor terrace area which wraps around the entire rear elevation will look directly into our garden amenity outdoor space.

Roof height extension will be c200mm higher than the existing eaves on the main roof, once again explaining the monstrous size, scaling and mass this will have on us, 185, and anyone else looking out of their gardens on this side of the road.

With a FFL of 1.21m above ground level and 1.66m at its highest point meaning it will require 6 steps in order to access their garden, confirms how imposing and overlooking the extensions will be. With a 6.4m ridge height near the utility room increasing to 6.9m at the end.

9 bi-folding glazing panels protruding 13m into the garden on top of the 4 they have at the rear elevation, 13 bi-folding doors in total reflecting noise and solar glare into 189, and potentially up Leckhampton Hill. The solar gain alone will be incredible yet no mention of this in the sustainability report as a consequence of a West facing garden.

Width of the existing property inc. the utility room is 16.75m (taken from Google Earth) so with a 13m extension after the 2-storey nib means a 71% increase in depth from the existing - like building a whole entire house on top of the one they already have. A 67% increase in mass taking into account the 2 storey additions, external staircase and front porch.

The private garage they have coupled with the utility room are classed as ancillary buildings so are not habitable or conform to domestic building regulations.

Compromise & Resolution

The applicant will no doubt refresh and re-submit their application in due course, and no-one begrudges them a reasonably sized extension which looks into their own garden, but that has to run down the back of their rear elevation like everyone else on this side of the road; in gradient with the lie of their land (2/3 steps down not 6 steps up); be single storey; have no balcony; and therefore no right to overlook or cause a loss of privacy to neighbours - this will help overcome all issues mentioned above, and in 185's objection as well.

You will see enclosed minutes of a meeting held with the applicant in our garden on 20th Mar which give a very distinct flavour of their attitude and desires but also that they are clearly open to compromise and resolution given the ultimatum 189 gave 187, especially if they continue to remain wholly unreasonable and obtuse to the concerns of their neighbour's. Please read these minutes as we want to portray to the Planning Officer that we believe this can be negotiated between neighbours, planners and their Architect rather than having numerous expensive re-submissions, and objections down the line, which of course will be a complete waste of time and money for everyone concerned.

Site Visits:-

Site visits to the subject site, as well as neighbouring gardens, are imperative to ensure the full impact of these proposals can be fully visualised. Everyone that has attended so far have been flabbergasted by how overbearing and monstrous these plans are, so we would welcome the Planning Officer to attend, as well as any Committee Members in due course in the event this application is called in.

Enclosures:-

Images of existing views taken from our garden

Images of visual impact as a result of granting permission

Block Plan demonstrating % increase in mass from existing to proposed

Minutes of a meeting held in our garden with the Applicant

Kind Regards

[Redacted Signature]

[Redacted Signature]

Dated:

Planning Offices
Cheltenham Borough Council
P.O.Box 12
Municipal Offices
Promenade
Cheltenham
Glos
GL50 1PP

185 Leckhampton Road
Cheltenham
Glos
GL53 0AD

30. 03.24

Planning Application 24/00435/FUL - 187 Leckhampton Road, Cheltenham, GL53 0AD
Planning Officer: Miss Michelle Payne

We write to object to this application for the following reasons:

Overshadowing and loss of light, overbearing impact due to its' height and scale, use of materials which do not compliment the original dwelling, and detrimental impact on our living conditions.

Scale and Dominance

There would be an overbearing impact on no 185 as a consequence of the proposed planning application at no 187 due to: -

- Its' 90% protrusion angle from the rear elevation of the existing house
- Its' vast height and its 12 metre extension length from the rear elevation.

As a result of living on a hill, no 185 sits at a lower ground level to no 187. The proposed plans show the rear extension sitting 1.2 metres above the garden ground level of no 187, before ascending a further 5.5 metres to ridge. This will produce a "towering" effect which, will also visually overwhelm and over shadow 185, and detract from the form and character of the original house

This will be exaggerated further as the "single storey extension" will sit within 0.2m of 185's boundary line and the "two storey extension" is on the no 185's boundary (photos 3 and 4). It will produce an unacceptable sense of enclosure, loss of light to "living" rooms and over shadowing.

The resultant building would be contrary to Policy SD14 of the 'Joint Core Strategy', Policy SL1 of the 'Cheltenham Plan' and the guidance set out withing paragraph 135 of the 'NPPF'.

Residential Amenity (overshadowing and overlooking)

This application has been made by no 187, on the South East side of no 185. Therefore, the sun comes across the shared boundary line between the two houses. There are two first floor bedroom windows and one ground floor window which were installed at the time of construction of no 185. These were intended to benefit from the southerly sun light.

The proposed planning application by no 187 will greatly impact the light received by these three windows. (see photos 1 and 2)

The patio area of the garden will lose much of the sunlight it currently enjoys because of the mass and height of the proposed building works.

The 'Joint Core Strategy' states that the Council will give regards to matters such as lost daylight.

Appearance (design and materials)

The proposed extension has a “church building” effect as a result of the tiered platform it sits upon and its’ high-pitched roof. At present there are six steps down from the house’s ground floor level to the garden ground floor level. This application proposes raising the level of the rear extension up by 1.2 metres to meet the house’s ground floor. Consequently, the overall height for this rear extension will be way above the normal height for a single storey extension.

The proposed appearance of the extension is out of character with the existing building and its’ neighbouring houses.

The proposed balcony does not fit in with any of the designs of houses in the area.

The “two-storey” part of the extension is proposed to be built on top of the existing garage to a ridge height matching the existing dwelling - thus lacking subservience and detracting from the original form of the house.

These points conflict with the ‘Residential Alterations and Extensions Supplementary planning’ document and ‘The Cheltenham Plan (5.8)’.

Contrary to policy SD4 of ‘Planning Practice Guidance’, the intended building materials do not respect the character of the existing building or its’ surroundings.

Contrary to the ‘Residential Alterations and Extensions APD (Cheltenham)’, the proposed extension will cause harm to the architectural integrity of the building due to its’ scale, mass, and materials.

In conclusion, this application clearly goes against many of the points set out in the ‘Joint Core Strategy’, ‘The Cheltenham Plan’, ‘Planning Practice Guidance’, ‘Residential Alterations and Extensions APD (Cheltenham)’.

As stated in the ‘NPPF’ “Development that is not well designed should be refused”

Other points for consideration

About 8 years ago, heavy rainfall caused flooding of homes 200m further up the road from nos 185 and 187.

It is known that house no 189 has a ‘wet cellar’ which needs the ground water to be routinely pumped out.

appropriate checks and surveys been done in order to assess the impact of putting up a 12m hard standing barrier for the proposed rear extension at no 187?

We believe that one tree and several large shrubs will need to be cut down in order to build the side extension.

Effect on ‘Area of Outstanding Natural Beauty’

The new extension will be viewed by walkers on Leckhampton Hill, an ‘Area of Outstanding Natural Beauty’. The proposed 9 x bifold doors of the proposed rear extension will be very light reflective, causing potential solar glare on the hill.

Planning Practice Guidance states that good design is about creating places which work well for everyone.

The Joint Core Strategy states that development should be assessed regarding loss of outlook.

There is no “right to a view” under planning. However, extension plans for no 187 are clearly designed to maximise the view of Leckhampton Hill from all available areas. The entire view which we enjoy from no 185 will be completely obliterated from all windows and external living areas.

Would the proposed extension give cause for many others houses to follow suit and build down the side of their gardens in a tiered way so that they could all gain maximum view of the hill?

Site Visit

We would kindly request that a site visit should be made by the Planning Office before this proposal or any future proposals are considered. It is very hard to picture the impact the proposed extension will have on us and houses lower down the hill until viewed at site.

Summary

In consideration of all the above, this planned design is of unacceptable scale, mass, form, and design. The loss of light and overshadowing to 185 are unacceptable to 185's living conditions.

The impact on 185 and its neighbours' amenity due to visual impact, massing and being overbearing makes this planning application unacceptable.

We therefore, strongly object and respectfully request that this application is refused planning permission.

In the event this application is referred to the 'Planning Committee', we kindly request that we are given notice so that we are able to address the Planning Committee directly.

Signed:



Date:



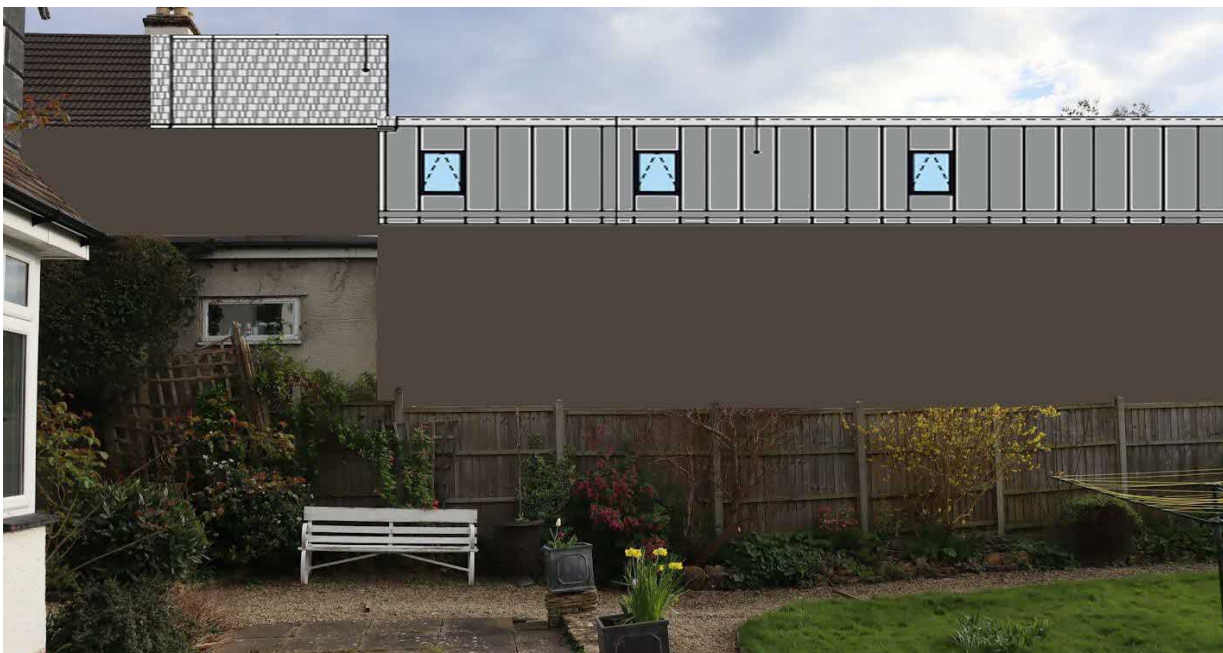
1 – upstairs window



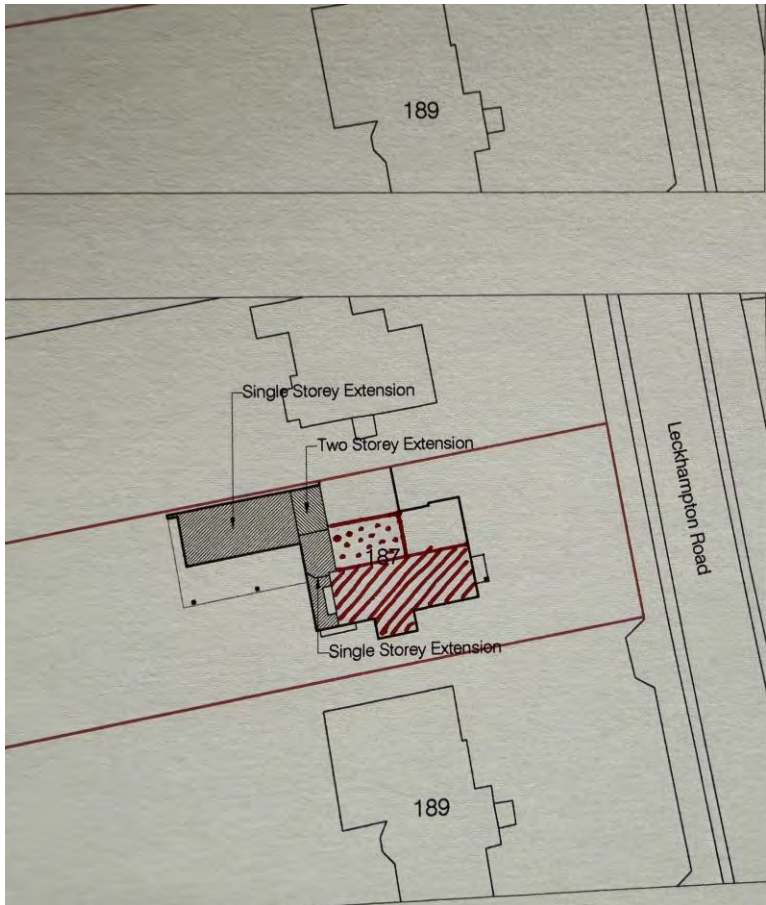
2 – dining room window



3 – outlook from patio area



4 – schematic of extensions



2 storey mass
Gnd flr mass

Rev.	Date	Revisions

PSK
architect

From Existing Structures
PSK Cheltenham Ltd
41 Bath Road
Cheltenham
GL53 7HQ
Tel. 01242 304477

TITLE
Mrs. Alice Costello
187 Leckhampton Road
Cheltenham
GL53 0AD

DESCRIPTION
Two Storey Extension
Site Plan & Block Plans
As Existing & Proposed

DATE	08.03.24	SCALE	1:500 @ A3
DRAWN		CHECKED	DCV





Planning • Design • Development

Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

BPA Ref: 3197A

2nd April 2024

RE: representation to application ref: 24/00435/FUL for two storey and single storey side/rear extensions at 187 Leckhampton Road, Cheltenham, GL53 0AD

Dear Miss Payne,

I have been instructed by [REDACTED] of 185 Leckhampton Road to review the above referenced application and to consider whether they should submit any representations in connection with the proposed development.

Having reviewed the submitted plans and documentation, I have reached the conclusion that the proposals are not acceptable in planning terms and have advised my clients to lodge a formal objection on the following grounds:

Neighbouring Amenity

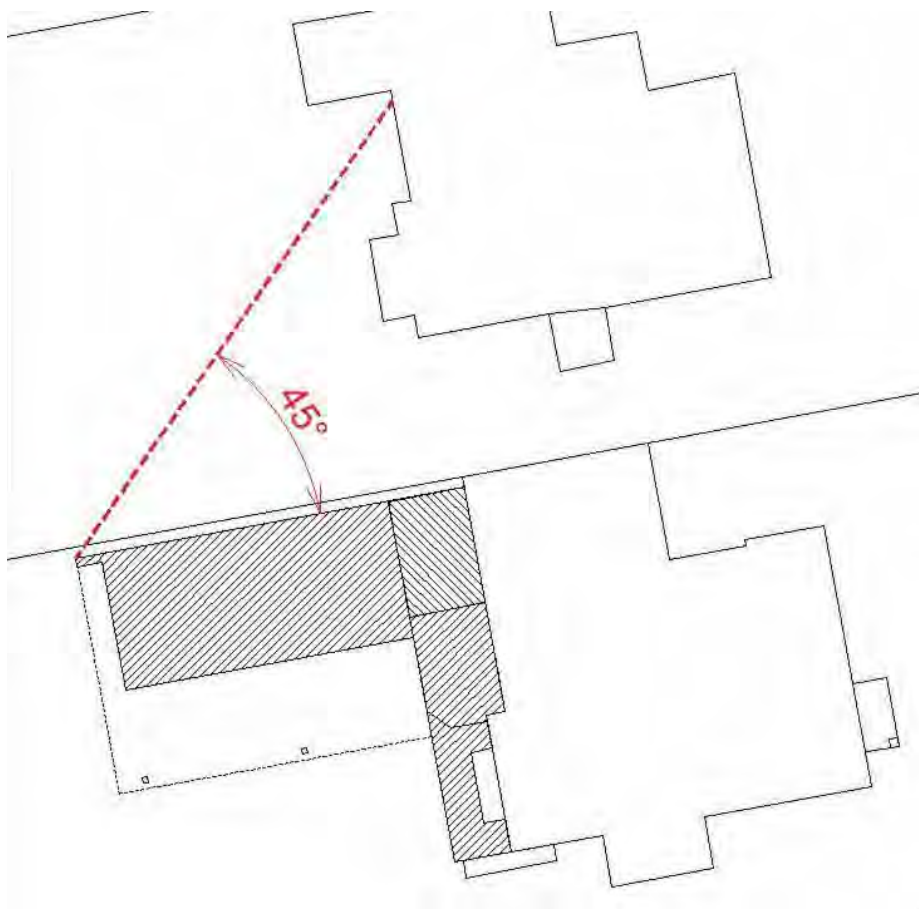
Adopted Cheltenham Plan Policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining landowners or the locality. In assessing impact on amenity, the Council should consider matters including, but not limited to, loss of privacy, loss of light, and overbearing impacts. These requirements are reiterated in adopted Joint Core Strategy (JCS) Policy SD14. In addition, the National Planning Policy Framework (NPPF) at paragraph 127 highlights the need to secure a high standard of amenity for existing and future users.

First and foremost, the proposed extensions will result in significant harm to the living conditions of the occupiers of no. 185 through considerable overshadowing and a loss of natural light. In order to demonstrate this, figure 1 below shows the proposals failing the 45-degree light test, which is a tool commonly used to ensure the amount of light reaching a neighbouring property is not reduced. Due to the height, projection and positioning of the proposals, the extensions will

Page | 1

encroach on both the living room and sitting room windows on the ground floor rear elevation, as well as the first-floor windows which serve two bedrooms. In addition, due to the extensions aspect and height, it would also be likely to deprive the eastern end of the garden of sunlight during most of the day. Accordingly, the loss of light and outlook that the proposals would cause to habitable rooms and garden space would be detrimental to the living conditions of the occupiers of no. 185.

Figure 1– image demonstrating that the development breaches the 45-degree test



The single storey rear extension measures 12-metres in length with a pitched roof and a maximum ridge height of 6.9-metres. The scale of this proposed extension is substantial, and the height cannot be justified. Thus, its height coupled with its rear-ward projection will have an oppressive and overbearing effect when viewed from the rear gardens of the adjoining properties, particularly so in the case of no. 185, as illustrated by Figures 2 and 3 below. These show the current outlook

from no.185's garden and the proposed outlook (to scale). It's evident from these images alone that the development proposed would be dominating and would lead to an unacceptable sense of enclosure to the occupiers of no. 185.

Figure 2– current outlook from the garden of no.185



Figure 3– proposed outlook from the garden of no. 185



Overall, the proposed development by virtue of its scale, height and superfluous openings will have a detrimental impact on the living conditions of the occupiers of the neighbouring properties, in terms of a loss of privacy and overbearing impacts. The proposal is therefore contrary to Policy SD14 of the JCS and Policy SL1 of the Cheltenham Plan, as well as the guidance set out within paragraph 135(f) of the NPPF.

Design and layout

Policy SD4 of the JCS indicates how high-quality and well-thought-out design is a key element in producing sustainable development. The policy goes on to emphasise that development should positively respond to and respect the character and scale of the site and its surroundings. This is supported in Policy D1 of the Cheltenham Plan.

Further guidance is contained within the 'Residential Alterations and Extensions' Supplementary Planning Document (SPD). It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this SPD is subservience. The document advises that an "extension should not dominate or detract from the original building, but play a 'supporting role'". It goes on to state that extensions to the rear "should be subservient to the original building in height and width".

The proposed extensions have not been designed with subservience in mind. They are unduly dominant and would overwhelm and swamp the host dwellings appearance to the extent that its original form would be largely unrecognisable. Especially as the applicants' seek to turn the building 90-degrees, in order to maximise views across neighbouring gardens and up to Leckhampton Hill. Thus, they would be appreciated as unacceptably bulky and unsympathetic additions that would seriously detract from the character and appearance of the host property. Moreover, the proposals would have a detrimental visual impact on its surroundings as it would stand out as a large and incongruous feature within the landscape setting. The combination of concrete tiles, metal roofing, render and timber cladding, together with the oddly chosen fenestration details, would also appear anomalous, and not in keeping with the character of the property.

It's important to highlight that the finished floor levels of the extension range from 1.21-metres to 1.66-metres above ground level, meaning the applicants will require 6-steps just to access their own garden. While it's assumed the applicant has pursued this layout in order to achieve views of Leckhampton Hill, this will further exacerbate harm as it will create a 'towering' effect. Consequently, the proposals would be hugely prominent in views from surrounding neighbours, especially to those further down the hill due to the change in land levels. Other rear extensions within the area step-down in order to create a sufficient visual gap, and also include flat or low-pitched roofs so that they are seen as subservient additions. If the proposals are approved in their current form, it could set a precedent that may make it more likely for similar proposals to be approved in the future which, in time, would erode the character and appearance of the area.

Additionally, the proposals include an extensive amount of glazing which may have implications for light spill and light pollution, especially as the property is located within a short distance of the Cotswolds National Landscape (formerly known as an AONB). In terms of other times of the day, outside of darkness, the large areas of glazing to the south would be visible from Leckhampton Hill. As such, there is potential for reflections or a polarising light issue that would adversely affect the setting of the wider landscape. In such areas, development must be guided by Paras. 182 and 183 of the NPPF, Policy SD7 of the JCS and the advice of the Cotswold Conservation Board with reference to the latest iteration of the Cotswold AONB Management Plan. Together, these policies seek development proposals in, or within the setting of the National Landscape, to protect scenic views and to conserve dark skies by minimising light pollution.

In light of the above, the proposals conflict with section 12 and 15 of the NPPF, Policy D1 of the Cheltenham Plan, Policies SD4 and SD7 of the JCS, and the Residential Extensions and Alterations SPD, all of which seek to ensure extensions are well designed and respond appropriately to context.

Drainage

Policy INF2 of the JCS advises that development proposals must avoid areas at risk of flooding, and must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. Additionally, where possible, the policy requires new development to contribute to a reduction in existing flood risk; and to incorporate Sustainable Drainage Systems (SuDS) where appropriate.

This location has a high-water table as a result of the rainfall coming from Leckhampton Hill. This is evidenced by the fact no.189 has a 'wet cellar' with an automatic sump pump. Given the considerable amount of new hard surface areas proposed, the applicant needs to provide information on how surface water run-off will be managed. Damage to neighbouring properties could be caused if adequate drainage measures are not installed. As such, rather than conditioned, it is recommended that the applicant submits a Surface Water Drainage Strategy for consideration as part of this planning application. This will provide neighbours with reassurance that surface water run-off will be dealt with appropriately.

Summary

Having considered all of the above, the proposed development is considered to represent an unacceptable scale, form and design, which fails to respond to the existing pattern of development and the surrounding context and therefore fails to achieve an acceptable form of development. Furthermore, by virtue of its scale, its elevated position and relationship with neighbouring land users, the development will result in an unacceptable impact on neighbouring amenity in terms of visual impact, overbearing impact, noise disturbance and a loss of privacy.

Overall, the planning application proposes a form of development that is in clear conflict of the adopted development plan and national planning policy and guidance. I therefore raise strong objections on behalf of the adjacent neighbour and respectfully request that the application is refused planning permission.

Concluding remarks

It appears that the applicants' have presented a scheme without giving any thought to the amenity of neighbouring properties. This is hugely disappointing and emphasises the importance of pre-application consultation. The neighbours do not oppose the principle of a householder extension, and therefore, it is likely that such issues could have been openly discussed and resolved prior to submission of this application. Instead, time and money has been wasted by all parties through the submission of ill-advised and poorly designed plans.

Following notification of this application from the Council, the occupiers of no.'s 185 and 189 met with the applicants' to voice their concerns. The minutes of these meetings have been submitted

Planning ▪ Design ▪ Development

alongside this letter for consideration. It appears that the applicants' are open to amending the proposals and so it is recommended that an alternative scheme is progressed which is more in line with other properties along Leckhampton Road - for example, an extension should be:

1. single storey;
2. run the length of rear elevation rather than protruding 12-metres to the rear;
3. in gradient with the lie of the land;
4. significantly reduced in height (flat roof recommended);
5. omission of balcony;
6. significant reduction in glazing/bi-folding doors; and
7. obscure glazing to be retained on side elevations.

Should any further information be received relating to this application, I would like to be notified on behalf of my clients in order to provide additional representation, where necessary.

Yours faithfully,



Lorelie Davies | MRTPI
Associate Director

Prospect House
183 Leckhampton Road
Cheltenham

Planning Application 24/00435/FUL 187 Leckhampton Road, GL53 0AD

Further to our previous letters we write to OBJECT to this application for the following reasons:

Size of Building, Construction materials, Loss of view, significant Loss of Outlook and Visual impact from Leckhampton Hill.

If the proposed plans were to be granted we would lose some of our views of the hill to be replaced with a wall of metal.

We consider that the revised plans have no effect our original objections.

The pictures below show the impact that the proposed single storey extension will have on the outlook from our decking. I also refer back to my previous letter and reiterate that the proposed rear extension is in fact an extension onto an existing extension.



Our current outlook



Proposed new outlook looking from our decking towards Leckhampton Hill.



Planning Offices.
Cheltenham Borough Council
P.O.Box 12.
Glos Municipal Offices
Cheltenham.
Glos GL50 IPP

185 Leckhampton Road
Cheltenham
GL53 0AD

Date: 05/10/2024

Planning Application 24/00435/FUL - 187 Leckhampton Road, Cheltenham, GL53 0AD
Planning Officer: Miss Michelle Payne

We write to confirm that we object to the plans submitted in this application.

Although there have been some alterations made to the previous application, the proposed plans still fail in several areas:

Significant loss of outlook, overshadowing and loss of light, an overbearing impact due to its' height and scale, the use of materials that do not compliment the original dwelling, all have a detrimental impact on our living conditions.

No. 187 wants to improve their view of the Leckhampton hills, but in creating their view they destroy their neighbours views at 185 and 183 (see fig's.3 & 4).

Scale and Dominance

The ground floor of No 187 is already higher than no 185, because the houses are built on a hill.

No 187 is proposing to raise its' ground floor up **by another 1.2 metres above this** which gives a totally unreasonable height for the single storey extension. Further more, the proposed extensions are to sit right up to the boundary line between no. 185 and 187. This close proximity to 185 will exacerbate the overbearing effect already caused by the height of both the single and the two storey extensions, resulting in loss of 185's enjoyment of garden and amenity space (see fig's 1 & 3).

It should be noted that the red dotted boundary lines shown on the Application do NOT represent the height of the fencing, which is lower.

The resultant building would be contrary to Policy SD14 of the 'Joint Core Strategy', Policy SII of the 'Cheltenham Plan' and the guidance set out within paragraph 135 of the 'NPPF'.

Residential Amenity (overshadowing and overlooking)

The cumulative height and bulk of the extensions being on a raised floor level 1.2 metres above our's will result in an overbearing building, loss of light and a significant loss of outlook when viewed from our South facing windows and outside seating area (see fig's 1 & 3).

No.187's proposed large garden facing window of the single storey extension being on the raised 1.2m ground level will create a feeling of 'perceived overlooking' into 185's garden, and a loss of privacy.

We note that reasons included in CBC's recent 'Refusal of Permission' of planning application 24/00871/FUL were because of "overbearing" and "significant loss of outlook ". The 'Officer's Report' also sites this in 8.1.

Appearance (design and materials)

The removal of both chimney stacks, the proposed choice of material finishes, such as Cotswold stone wall, metal and timber cladding are totally out of keeping with the character of 187 and neighbouring houses, all built around 1930. This is true also of the proposed pergola running along much of the rear of the house and overpowering its' existing features. The plans state the main roof of the property would be modified. However, the replacement roofing material to cover all three of these main apex roofs is UNKOWN?

The proposed extensions dominate and detract from the original building, and neighbouring houses, and do not achieve a level of subservience

The appearance contradicts NPPF paragraph 135, section b

Planning Practice guidance states that achieving good design should work well for everyone - this will not be the case.

Policy D1 requires that new development should respect neighbouring development - it will not.

Policy SD4 states that new development should be of a scale, type, and density appropriate to the site and its setting. Massing and overbearing are in contradiction of this policy.

As stated in the 'NPPF' - "Development that is not well designed should be refused"

In conclusion, there are multiple examples of the suggested plans being contrary to current planning policies and strategies.

Additional concern

We are very concerned over the effects of the removal of such a large area of earth and concrete foundations installed in a flood plain.

Summary

In consideration of all the above, this planned design is still of unacceptable scale, mass, form, and design. The cumulative bulk and height of the proposed additions would result in an overbearing form of development and significant loss of outlook when viewed from the windows and amenity space of 185. The loss of light and overshadowing to 185 will have a severe impact on 185's living conditions - it will have a harmful and oppressive effect on 185.

The negative impact on 185 and its neighbours' amenity due to visual impact, massing and being overbearing makes this planning application unacceptable. We therefore, strongly object and respectfully request that this application is refused planning permission.

Signed :



Date: 05/10/2024 (see below images/photos):-

Fig.1



Fig.2

The raising of the floor level, the height of the two-storey extension and the re-pitching of the roof provide an example of over massing and will be overbearing to no 185.



Fig.3



The cumulative height and bulk of the extensions being built on a raised floor level 1.2 metres above our's, will result in an overbearing building and a significant loss of outlook. Its' ground floor level would be raised by 1.2 metres over and above 185's ground floor level. In essence, this extension would be built on top of a 1.2 m high platform and will be right against the boundary fence!

Fig.4



Material points of objection to Revised Plans submitted under Application 24/00435/FUL

Dated 4th October 2024

We live at 189 Leckhampton Road next to 187 on the South boundary:-

Everyone we spoke to that saw the original plans commented *"it's like seeing a house on another house!"* and from the Parish Council *"this is obscene, quite frankly outrageous!"*. The truth is the first round of Plans were never going to see the light of day yet their new Architect (assuming they fell out with the last one) has gone to extreme lengths in his Design Access Statement to show how much concession has been made. The reality is the 2nd revision of Plans is where the original application should have started, so if we take that as the 1st submission we are now dealing with the 2nd revision – a very important statement given the application is now going to Committee and before fresh eyes of the Members who will not have had the time to review or get embroiled in the history of it. Remember CBC told the applicant that a balcony would not be acceptable in any form, yet they still chose to submit it.

Not sure if people are aware but the day 185 found out about these Plans it reduced the lady at 185 to tears at breakfast, and since the long delay from April she has not set foot in her garden the entire summer, as a result of her feeling upset, overlooked, and watched by 187. This is the dreadful truth of what people can do without any thought or care for people around them. This is not neighbourly nor is it acceptable in such a community-built area. I suppose that's London folk for you.

I am not going to repeat some of the lies, deceit and revelations thrown up by the applicant as these are listed in my last round of objections. What I will do though is update you to what the applicant promised to do with 185 after the dust settled in April, which was to draw up plans and consult 185 for changes before re-submission in Sept. Obviously this didn't happen, in fact worse, they printed off plans; gave them to 185; asked them to keep them confidential, whilst at the same time telling them they're going to submit them anyway! Isn't that like pulling the finger twice, or rubbing their faces in it? Further updates were suggested when they bumped into 185 at the post office saying *"I think we're going to do a typographical survey as suggested"* in order to give the impression they weren't anywhere near re-submission, which clearly they were. Why are we surprised as they told 189 they would sit down and consult with us before their 1st submission. We also note there has been zero consultation with CBC on the latest submission, as confirmed by Michelle Payne to 185 last week.

Just to reiterate again, prior to the lodging of this application the applicant took down 50% of the hedge between our boundaries (189/187), which included some of our trees and hedges on our side of the fence, had we not intervened their landscaping contractor would have taken down even more. They did this to create a view of Leckhampton Hill.

The following points have been documented to give a reason behind why they are material, as well as help paint a picture for those people who haven't visited the subject site, or 189's garden:-

1) Overlooking/ perceived overlooking; the 2 storey ensuite bathroom with windows; the 2m bi-folding door extension; and the huge raised outdoor terrace area amounting to 65m² (700 sq.ft.) which wraps around the entire rear elevation and abuts the fence of 189; with a large outdoor kitchen and what landscaping there is now will no longer be, which will face directly into 189 with only a fence height of 97cm! We have young children and, in this day and age the importance of child protection, both on and off the internet is paramount, then we need to be mindful of what individuals this place would attract in future if this application is granted. Perceived overlooking

which is the feeling of being '*constantly watched*'. The use of the raised outdoor terrace would give rise to an increased perception of being overlooked now that the landscaping has gone, the fence height reduced to 97cm! and the installation of an outdoor kitchen sitting proud on the boundary line meaning a child of 3.5 yrs old can look over the top without having to stand on tip toes! The perception of overlooking is a material consideration and is wholly different from direct overlooking. Terraces and balconies result in an increased perception of overlooking as residents will be able to physically see users which results in a sense of being hemmed in. This approach is confirmed in appeals APP/K3605/W/20/3254942 and APP/K3605/W/20/3257997. Within the inspector's report for these appeals, it was stated that: "*The overlooking from a balcony or terrace in a raised position is more intrusive than that which would be experienced from a typical upper floor window, as it involves future residents sitting out at a raised level for long periods of time.*"

THIS IS CONTRARY TO POLICY SL1

Development would only be permitted where it would:-

- a) Not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality (Notes 1&2)**
- b) Not by nature of its size, location, layout or design give rise to crime, the fear of crime, nor endanger public safety; and**
- c) Make adequate provision for security and the prevention of crime and disorder**

Please note the enclosed images showing existing as well as the visual impact it will create from an overlooking/ loss of privacy concern should the Council grant permission.

Before



After



Image showing where 187's raised patio will finish in 189's garden (note the tape measure confirming 97cm and that all the landscaping above the fence will be removed)





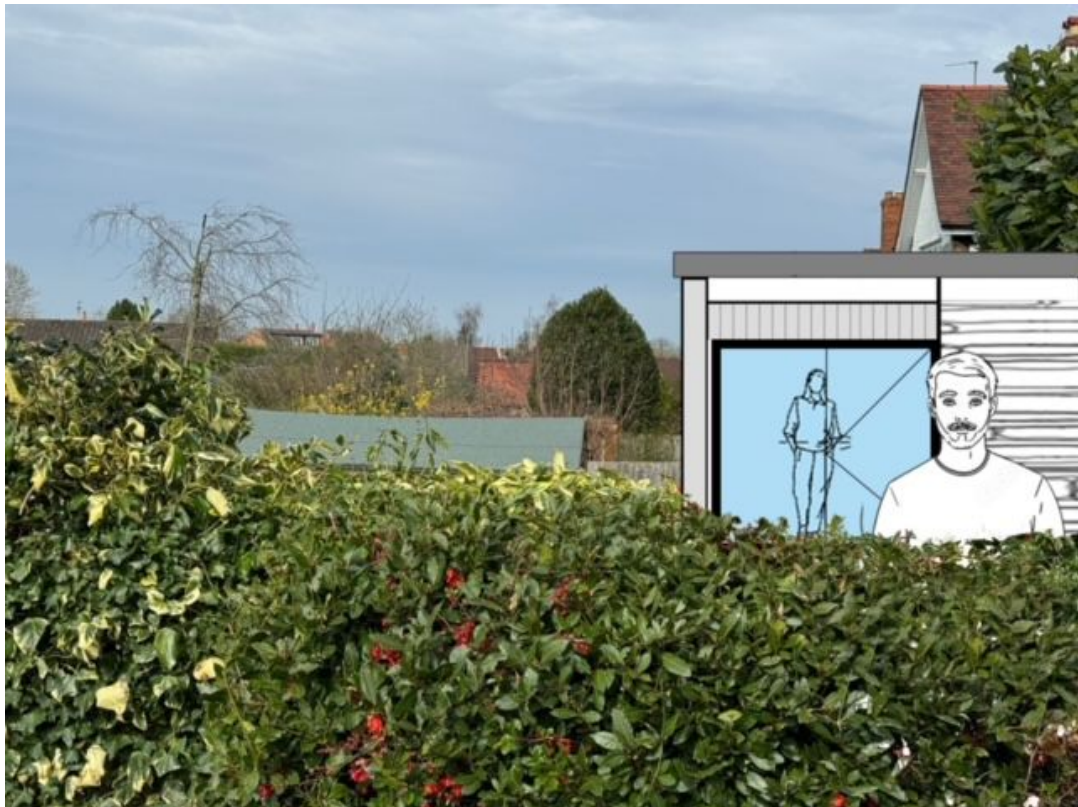
2) Loss/ impact on Garden Amenity Space ; the 11.5m mass of built form stretches from the front of 187's garage to the end of the single storey extension, it will run at an average height of 8.9m to ridge until the end of the two-storey addition in line with the existing rear elevation, and then extend a further 4.25m at a height of 4.62m, coupled with it sat on a raised platform of 1.21m. The '7' steps it takes from the utility room FFL to get into 187's garden goes some way to explaining that – as evidenced on the Architect's Existing Plans. You only have to realise the staggering amount of fill required to create the raised outdoor terrace, given the land drops in level from 0.75m at our boundary fence to 1.21m across the rear elevation to 185's fence, and that's before you add the drop in land level which slopes into 187's garden. **As a result it will create the same land level as 189's garden and we'll be able to see people at the same height as our garden but even worse with a fence height of only 97cm!**

Please note the enclosed images showing existing as well as the visual impact it will create from an overbearing/ scaling concern should the Council grant permission.

Before



After



3) Side elevation/ Master ensuite; 187 have created a new bedroom window on the South elevation which looks directly into the children's bedrooms of 189 – we note despite their late change on 4th Oct to turn the majority of windows on that elevation back to obscure that they missed the inclusion of this one, which will be worse once those trees have been felled in that location. In addition the large rear window of the master ensuite bathroom needs obscure glazing to prevent loss of privacy and overlooking into 189. **Neighbour's will be able to see directly in from their front and rear gardens. 189 has a rear elevation bathroom with obscure glazing but you can still see everything when the lights are on, blinds are a must!**

Existing obscure glazing



View from children's bedrooms



4) New Roof Height; There are significant issues with the proposed increase in roof height to house an additional 120mm of insulation on top of the existing roof rafters. What material are they proposing to seal/ cover the roofs in?! existing tiles or a new proprietary metal seam roofing system? If they are merely taking off the old ridge tiles storing them and reinstating after the new insulation is installed then what are they going to attach new felt and battens to ? as you can't fix to insulation, and if they aren't using felt and battens then what will the existing tiles sit on? Likewise if it's a new roofing system then what is it? All this expense to try and make the FF extension above the roof look subservient, when looking at the elevation you can't tell, they've had to point it out using a red line. I think this lack of detail and confusion alone requires some urgent clarification. In addition the removal of chimneys alone and the adhoc mix-match design using materials like Cotswold stone, render, zinc seamed roofs will totally detract from the 1930 period property.

6) Noise:- is a material objection as long as it can be proven that the proposed plans seek to create it. The applicant's children are incredibly noisy when playing in their house and garden, so allowing them to have a 2m extension facing us, with the ability to open up the whole building using 3 bi-folding doors, will just amplify that noise like a resounding cave straight back into our garden amenity space, as well as our house when we have our bi-folds open - rather than down into their own garden. Especially given that room will be used as a lounge where they will socialise a lot. Add the extra noise from BBQ's, paddling pools, the new outdoor kitchen, coupled with the removal of all landscaping along that boundary fence, given the 0.75m raised patio (which will be at the same garden level as ours) then you can start to see the impact their proposals will create.

7) Defective ECO proposals

Further I am aware some of the eco proposals on this solid brick period property will not work. I have extensive knowledge and expertise of buildings and the 2 most important things you learn about looking after old properties are 1) Natural Ventilation - the ability to allow the property to breathe as a result of there being no cavity wall, and 2) The use of traditional materials to enable that property to breathe. Being a 1930's solid brick building with slate dpc the worst thing you can do is cover it in insulation with an acrylic render as that will sweat the property even more than it already does. Note the holes they have already drilled under the eaves and above dpc which I assume was a chemically injected product to put interstitial damp at bay - another procedure that doesn't work. The issue with damp and efflorescence is you can't get rid of it unless you let the building breathe or draw out the salt using an inhibitor. That is why old buildings if covered should be covered in lime render, or any correction of jointing above and below dpc must be done using lime mortar; lime allows the property to breathe not sweat. Add in the ASHP which doesn't work for properties this size, only small extensions. We've seen the results first hand and come winter when the blades and pipe conduit start to freeze up the pumps don't work. There are no plans showing how the Mechanical Ventilation (MVHR) will fit within the ceiling void's themselves, so how do we know if minimum room heights will be maintained under building regs? or whether Legionnaire's Disease issues remain in MVHR systems, especially installed in old properties which already have damp issues, and ones that are located in an area with a high-water table. Triple glazing will also be a waste of money as you need the building to breathe so will require adding vents or venting on a regular basis. Add in the condensation of 5 breathing humans and no doubt the endless washing and drying that will ensue which will all add to the building sweating even more as a result of crammed MVHR conduits, over bent ducting and endless pipe work in restrictive ceiling voids in an attempt to get the building breathing. The irony of airtight buildings in old properties when fresh air and lots of it is the buildings only hope! I am staggered to see this kind of advice put forward by an ECO architect in order to try and wave a piece of paper saying it could possibly reach Passivhaus retrofit standard, which is an airtight design to reduce heating costs on new buildings not old. Note the Entefit standard they are trying to achieve has relaxed targets due to the existing complexities of old buildings – which are never achieved. The Committee must not be swayed by these ECO

credentials in order to grant permission as I have said above, they are highly unlikely to work. Specialist contractors are usually sold on the back of this tech to clients from Architects practices where the tech is untried and tested, or the Architect's haven't been open and honest about the risks and expense these retrofits can take. You only have to scratch the surface of this tech online to realise how fallible it is. I think before anyone believes this can be done we need to see their calculations to achieve it, rather than some plans and elevations to get a quick consent! or is that the applicant's intention all along – use the ECO credentials in order to get consent, and then make changes later once they can prove 'in principle consent' has been obtained.

7) Appearance, design and materials proposed; The appearance is out of character with the existing building as well as its neighbouring extensions. Most if not all extensions are single storey, often flat roofed, for that reason to help delineate between old and new parts. Are they proposing to keep the 1970 brown Marley ridgeback tiles (which the previous owner put on before they sold) which don't complement or go with the new modern metal seem roof/ powder coated windows or architectural pergola which look clumsy and industrial Why are they removing both chimneys?

8) Precedent/ Others;

189 has 2 steps down in the middle of our single storey extension due to the natural lie of the land so creating a finished floor level 2 steps 'down' into the applicants' garden will help prevent a precedent of towering extensions in the future. 189's extension wraps around the rear of our elevation about 50% and only projects out 4m. 189 also has x4 internal steps twice (8 in total) at the point the land drops off in that location in order to access the drop in gradient from its kitchen into its downstairs toilet and garage. **Taking that into consideration and allowing a resident to by-pass the need for steps down in a new extension (187), despite having the same lie of the land issues, does not suggest fair consideration will have been given to both residents under their separate applications.**

191 has a wraparound extension at the rear with a side patio door looking onto their neighbour's fence, given the plot is so small compared to others. It also doesn't have the gradient or drop in land level there is between 185 and 189.

181 has a long brick garage/ store under a separate planning consent which is classed as 'ancillary buildings' under planning and therefore not habitable, and neither are they connected to the main house. They also return into their garden not up the Hill and are screened by large trees both sides of the fence, especially the return side into 179 Leckhampton Rd where the building has been split into 2 dwellings (177) meaning the garden is 50% smaller and screened further, with a double fence layer of trees and hedging.

10) Flooding concerns - 189 has a 'wet cellar' with an automatic sump pump due to the high water table in this location, which is as a result of rain coming off Leckhampton Hill. Putting a raised 700 sq.ft. 730cm high to 1.27m high patio which also runs the full length of 187's rear elevation (outdoor terrace) will surely create more run off, funnelling and increase velocity. Does the applicant have a wet cellar? Will they be compounding the problem? Are they putting aco channels within their patio for direct run off into their own garden? now the proposed garden levels will be the same as 189's and 1.27m higher than 185? We are not looking to refuse on this point merely to protect neighbours from any unnecessary claims. Building Regulations will not deal with flooding concerns, especially if these plans are built during the summer. A SUDS report or a review on strategy report is a sensible way forward or at the very least a condition ensuring the Council are happy with 187's plans to disperse rain water and run-off.

Please note the enclosed images taken of 187's garden confirming ground saturation

Images of flooding





Summary:-

Council Members must come to site to witness the revised ground level 187 will create, only then will they be able to decide whether a revised fence height of 97cm is acceptable. If the Council grants permission 189 will have to infill their gravel path up to the boundary fence to be able to stick a new 2m fence up, and the question is will CBC allow that to happen? or will they simply allow 187 to object and thus refuse? The irony given 187 will have elevated levels thru these proposals which will then be at the detriment of the neighbour on higher ground!

There has been zero consultation with neighbours to date, fact. The changes have been forced by the sheer amount of objections; as well as continued pressure from the Parish Council and Ward Councillors, as evidenced by the additional drawings submitted on 4th Oct with a swift change back to obscure glazing. It doesn't merit recognition or a respecting comment as they never intended to offer it, purely forced by the Parish Council to concede. They have ignored the fact that the new window proposed in the FF bedroom on the South elevation will still look directly into my daughter and son's bedrooms, even more so once the trees are removed to house the raised patio and outdoor kitchen. In addition, the Master Bedroom ensuite walk in shower cubicle at FF level will also require obscure glazing given it's a new aperture with direct viewing from the gardens of 185 & 189, We have expressed in our earlier objections that you can see *"everything"* at night with the lights on, and given a third of the shower covers that window, along with the toilet facing outwards, then how are they going to maintain privacy?

An 8.9m high FF addition above the existing garage housing an ensuite bathroom with plain glass windows; a 2.72m single storey x 4.5m high extension; a further 2m x 4.5m 3 Nr bi-folding single storey extension with a large window facing into 185's garden; and a huge raised outdoor terrace

area amounting to 65m² (700 sq.ft.) which wraps around the entire rear elevation, has an outdoor kitchen right up against the boundary fence, and will require the removal of all the existing mature landscaping along that boundary to achieve; which will mean direct over-looking into 189's outdoor garden amenity space as a result of a 97cm fence, thus causing significant impacts of overlooking, significant impacts of perceived overlooking, significant impacts of loss of privacy, significant impacts in the enjoyment of 189's outdoor garden amenity space, as well as a significant increase in noise disturbance.

Urgent clarification is required to establish what roof covering they are planning on installing once the new 120mm insulation is installed, and how that will be fixed to the insulation sat on top of the existing rafters. The Planning Officer has not raised this so Members will be none the wiser as to how the building will look, or whether it detracts too much from the existing character and age of the property. They have proposed this increase in roof height to prevent a subservience issue with the FF extension above the garage hence why the Architect must clarify the applicant's intentions.

A detailed look into the proposed ECO credentials given many seem defective and could in fact worsen the state of the property as it stands. Transparent calculations from the Architect, and reports carried out on the current damp state of the property are required before any of these credentials can be taken at face value.

The additional noise created as a result of the proposed single storey extension facing 189 and overlooking 189's garden. When the 3 bi-folding doors and sliding patio doors are peeled back in the spring to autumn coupled with the raised patio to socialise on, along with the new outdoor kitchen and fence height of 97cm, along with the removed mature landscaping; the additional noise will re-bound back into 189's garden, as well as their house once 189 open their bi-folds, meaning the back of the 187's extension will reverberate like a cave.

With a FFL of 1.21m and a raised outdoor terrace at the same level above ground level meaning it will still require 5 steps in order to access 187's garden. This alone confirms how imposing and overlooking the extension and raised patio will be.

Compromise & Resolution

If they had one ounce of compassion they'd have put a step in their extensions, as well as one or two onto the patio. The proposed 2m extension (at an exorbitant cost to get a tiny view of Leckhampton Hill) is actually a 2nd lounge, not even a primary use room, which is the very room that causes 185 to lose their view, as well as enjoyment of their outdoor garden amenity space. The raised patio which abuts the boundary fence of 189 has an outdoor kitchen right up against it (with a reduced fence height of 97cm) coupled with complete removal of all landscaping which means 189 will be overlooked, have a loss of privacy, and be impacted by the use of their outdoor garden amenity space as a result of 'perceived overlooking'.

In the event the Council grant permission or the applicants refuse to compromise, they will leave us with no alternative but to proceed with our threats of returning the level of privacy we have now, as well as increasing it further given the issues 187 have created themselves. We found it incredible after April (2nd submission) that the applicants took the opportunity to stoke the embers of unhappiness between neighbours by putting a trampoline right up against our fence, and close to our patio, despite having oodles of space down the back of their garden, which projects even further than 189's. They then put a basketball hoop right up against our fence on their patio when they have oodles of space at the front of their house which has a flat tarmacked drive to play on. Just like we

have done, as well as installed an in-ground trampoline at the very back of our rear garden. This was done on purpose and out of respect for our neighbours, who at the time were both elderly.

Site Visits:-

We note that Wendy Hopkins of Brodie Planning and Michelle Payne of CBC have agreed to arrange for the Members to visit the gardens of 189 & 185 prior to the October Planning Committee held on 17th Oct 2024.

Enclosures:-

Images of existing views taken from our garden

Images of visual impact as a result of granting permission

Minutes of a meeting held in our garden with the Applicant