

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

BPA Ref: 3197

09<sup>th</sup> October 2024

**RE: Representation to application ref: 24/00435/FUL: Second set of revised plans for single storey rear extension, first floor side extension and associated alterations at 187 Leckhampton Road, Cheltenham, GL53 0AD**

Dear Miss Payne,

We have been instructed by [REDACTED] of 189 Leckhampton Road and [REDACTED] of 185 Leckhampton Road, to review the revised plans submitted on the 16<sup>th</sup> September 2024, with further revisions submitted on the 4<sup>th</sup> October 2024. In addition to the comments, photographs and images provided in their letters of objection dated 08<sup>th</sup> October 2024, the following points are provided to support the strong concerns and objections set out.

**Existing and proposed block plans E4640 002 – missing the proposed elevated patio area.**

The proposed block plan does not include the elevated patio area, which is at a level which appears to require planning permission. As part of the associated alterations, it is not identified on the proposed block plan. This is a missing important consideration which is amplified by the raised patios position immediately adjacent to the boundary with 189, in conjunction with the length it runs along the boundary and the loss of boundary vegetation between 187 and 189 which further opens views across the rear garden of 189.

## 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, matters of consideration include, 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 to the details of the National Planning Policy Framework (NPPF).

### Direct Impact on No. 189:

The application proposes a new first floor window, to serve a bedroom, in the side elevation facing 189, the details submitted on the 4<sup>th</sup> October do not detail this window to be obscure or fixed. The proposed window would provide for outlook directly to the side boundary and would create overlooking and loss of privacy which would be in conflict with policy SL1.

Although not included on the submitted proposed block plan the application proposes a large area of raised patio which runs immediately adjacent to and along a significant length of the boundary with 189. In considering the existing boundary arrangement and site levels, the raised patio would provide an extensive raised platform area which would provide a large vantage point towards 189. This would create harmful overlooking and result in the loss of privacy to the existing private amenity space to the rear of 189. Section details of the proposed raised patio, in the context of the application site and the neighbouring properties, would provide for a better understanding of these impacts.

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 and the living conditions of the occupiers of neighbouring properties in terms of loss of privacy and therefore does not follow the requirements of policies SL1 of the Local Plan, SD14 of the JCS.

Obscure window detailing should be to Pilkington Level 5.

### Direct Impact on No 185:

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 application would introduce a first-floor side extension with a height to ridge of 8.9m and which would run immediately along the boundary with 185 as shown on the proposed block plan, in addition a further single storey rear extension is proposed on the boundary. This will create an expanse 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 than 187. 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 reduce the level of light and cast shadows during most of the day to the detriment of the amenity of 185. At the scale proposed and with the extensions located immediately adjacent to the boundary the proposal would result in harm to the amenity of 185.

By virtue of its scale, height and proximity to the boundary the extensions would have a detrimental impact on the living conditions 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.

Overall, the proposed development 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. The first-floor side extension is unduly dominant and would overwhelm the original dwelling appearance to the extent that its original form would be diminished.

The proposed first floor side extension therefore does not read as being 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 rather than playing a ‘supporting role’. 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 addition that would detract from the character and appearance of the host property and surrounding area and lacks the necessary subservience as required by policies D1, SD4 and the SPD.

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 requirements identified during the consideration of that application. 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 identified during application 17/0577/ FUL.

In light of the above, the proposals conflict with 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 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

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 above and as set out in their letters. If the applicant was minded to make further amendments to the application, it is suggested the following points are considered:

Removal of the proposed 1.5 storey extension above the garage - to overcome overbearing/ loss of daylight/ impact on garden amenity space/ subservience issues.

Lowering of the proposed single storey extension and patio area with the introduction of steps down from existing floor levels – to overcome overlooking/ loss of privacy/ impact on garden amenity space.

The proposed side facing window to be obscure glazing on the side elevation facing 189 with the other windows to remain obscure - to overcome overlooking/ loss of privacy.

Any proposed additional bathrooms/ en-suites (whether at higher level or not) to have a minimum level 5 obscure glazing.

Having considered all the above, the proposed development is considered to represent an unacceptable scale and design which lacks subservience and does not respond to 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.

I hope the above points can be considered as part of the Council's determination of the application.

Yours faithfully,

**Craig Hemphill | MRTPI**  
Senior Planning Consultant