

APPLICATION NO: 13/01109/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 3rd July 2013		DATE OF EXPIRY : 28th August 2013	
WARD: Charlton Park		PARISH: CHARLK	
APPLICANT:	Mr Simpson		
LOCATION:	17 Greenhills Road, Charlton Kings, Cheltenham		
PROPOSAL:	Erection of a single dwelling to the rear of 17 Greenhills Road, formation of new access, and erection of a garage for the existing dwelling		

REPRESENTATIONS

Number of contributors	7
Number of objections	6
Number of representations	0
Number of supporting	1

5 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 17th July 2013
Letter attached.

Comments: 27th September 2013
Letter attached.

4 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 19th July 2013
Letter attached.

Comments: 4th October 2013
Letter attached.

South Lawn
9 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 24th July 2013
Letter attached.

Comments: 23rd September 2013

I object to the application on the same basis as my previous objection letter. Please consider my previous letter as still current with this revised application. Thank you.

16 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 24th July 2013

I wish to express my support for the application by 17 Greenhills Road for two reasons.

In complete contrast to the Machiavellian process by which the developers undertook the Haymans Close development, which went ahead despite strenuous neighbours objections, the Simpsons have behaved admirably in contacting neighbours and forewarning them of their plans and rationale. They have sought consensus and are willing to listen to suggestions to reduce the impacts of their small scale development.

The single, low level structure will have minimal impact on any adjoining property, in terms of noise or light impairment, in particular as the gardens are north facing. My own property adjoins the full length of the whole development and therefore will be most affected by this development however due to the large amount of trees on my land, which the Simpsons will ensure are not disturbed, the impact on any wildlife or greenness is minimal. The land to be built on is largely lawn, vegetable patch and minor bushes, which support little wildlife or provides any real character. This structure will provide badly needed high quality living accommodation, superior in design and garden area to those granted planning permission in Haymans Close.

If you have any queries regarding the above please do not hesitate to contact me.

Brown Gables
8 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Comments: 24th July 2013

Letter attached.

111 Charlton Lane
Cheltenham
Gloucestershire
GL53 9EE

Comments: 4th September 2013

I strongly oppose this planning application. My reasons are;

- Flat roofed garage on road will look out of place and ruining character of street.
- The character of street being able to see houses as you drive down road will be lost.
- I am worried about tight access and road safety concerns - it is not appropriate to have more access roads onto Greenhills Road/Charlton Lane.
- It is inappropriate to build house in a rear garden in a tandem style development which is directly against Cheltenham's planning policy.
- The development will put extra load on schools/utilities

- Environmental concerns - I am keen to keep gardens for wildlife, keeping green spaces.
- Construction of the property and noise and disturbance that will inevitable take place.

20 Greenhills Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 9EB

Comments: 29th July 2013

We oppose yet another back-build on Greenhills Road/Charlton Lane for several reasons:

We are very concerned that the continuing back-builds on these two roads are irrevocably changing the character of the area. Quite apart from the impact on wildlife, the increase in traffic density on what is already an over-used "rat run" makes it dangerous for cars to pull out and for pedestrians trying to use the narrow pavements along this particular side of the road.

We have lived on this road for nearly 7 years and to date have not yet known a year free from builders' disturbance (noise from banging, diggers and radios - builders seem unable to work without them blaring! - and dust and all other forms of disturbance builders create). The residents of this road do not need this.

You may say that a precedent has already been set by the other back-builds - but that is entirely our point; this area has had too much of this and now is the time to draw the line.


5 Hayman Close
Cheltenham
GL53 9FD

Cheltenham Borough Council
PO Box 12, Municipal Offices, Promenade
Cheltenham GL50 1PP

15th July 2013

For the attention of Miss Michelle Payne, Planning Officer

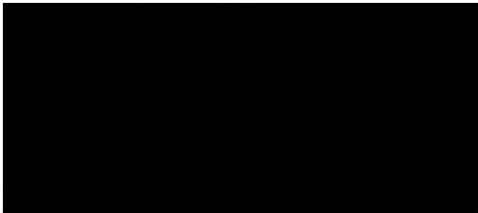
Dear Miss Payne,

Reference: PLANNING APPLICATION NO 13/01109/OUT
Proposed erection of single dwelling to rear of 17 Greenhills Road, formation of new access and erection of garage for the existing dwelling at 17 Greenhills Road, Charlton Kings by Mr and Mrs D Simpson.

Please find enclosed a copy of my objection and concerns regarding the above proposal. Please could you acknowledge acceptance of this by email (jonmutimer@doctors.org.uk) due to the importance of the matter.

At present I could not see if this was to be discussed by the local councillors. As indicated in my letter I would like to attend and speak if that is the case.

Yours sincerely,



Cheltenham Borough Council Environment Group			
PASSED TO			
REC'D	16 JUL 2013		
Date of Response		Type of Response	
Initials of Respondent		File Ref.	

[REDACTED]
5 Hayman Close
Cheltenham
GL53 9FD

Cheltenham Borough Council
PO Box 12, Municipal Offices, Promenade
Cheltenham GL50 1PP

15th July 2013

For the attention of Miss Michelle Payne, Planning Officer

Dear Miss Payne,

Reference: PLANNING APPLICATION NO 13/01109/OUT
Proposed erection of single dwelling to rear of 17 Greenhills Road, formation of new access and erection of garage for the existing dwelling at 17 Greenhills Road, Charlton Kings by Mr and Mrs D Simpson.

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to this development in this location.

Greenhills Road is an attractive area where development proposals should be considered carefully to avoid ruining the 'character' of the environment, as defined in section 3.3 of the Local Development Framework. This proposal is inappropriate and directly contravenes aspects of both the National Planning Policy Framework (NPPF, March 2012) and more importantly the Cheltenham Local Development Framework Supplementary Planning Document (LDFSPD) regarding Development on Garden Land (June 2009).

The NPPF declares that development should 'take account of the different roles and character of different areas' (Core Planning Principles point 17) and since this does not, the application should be refused.

The Cheltenham LDFSPD clearly lays out its aims and intends to 'ensure only developments that are in keeping with the character and quality of the neighbourhood.....be allowed'. Again this proposal does not meet this requirement.

The specific reasons to reject this proposal include:

- Natural Environment Significance
- Layout and Development Pattern
- Built Form
- Loss of Amenity
- Access and Parking

Natural Environment Significance (C1,2,3)

Although this is a rear garden development it will have an unsightly, deleterious effect on Greenhills Road. The insertion of an access route will detract from the townscape as will the creation of a flat roofed garage, which will block the view of the original house itself. This will be entirely out of keeping with the rest of Greenhills Road and will not be hidden entirely by a hedgerow (p29 LDFSPD)

I am not aware of a Phase 1 Habitat Survey having been carried out. The mature gardens of the houses in this area provide for a wide biodiversity of animals and plants alike. These gardens provide a significant wildlife corridor.

Layout and Development Pattern (C4,5,6)

This proposal clearly contravenes page 36 of the LDFSPD where this type of single tandem house development in a garden site is advocated as an example of poor planning:

“On a rear garden site, single ‘tandem’ development which shares the same access or even the same plot as the frontage development, will not normally be accepted”.

Diagrams on page 36 cited as a poor planning example are almost identical to this proposal.

It goes on to mention the difficulties with loss of amenity with such developments. It should be noted there has been previous development to the rear of Greenhills Road but these have directly incorporated positive aspects of the LDFSPD (p35) utilizing irregular plot boundaries and making the access road part of the amenity space.

The proposed new building would have no view of the main road which is actively discouraged in the LDFSPD (page 36).

Built Form (C9,10)

The proposal of a flat roof garage in front of the house and side access will detract from the uniformity of the houses on Greenhills Road, which have a similar position on their plot and distance from the road. The garage will obscure this view.

More importantly the proposed tandem development, even in outline form, is larger than the development on the frontage against the LDFSPD rules:

“Development in rear gardens which is greater in height, scale and massing than development on the frontage will not normally be acceptable”

Loss of Amenity (A1,2)

Although the Outline Planning Proposal is for a building utilizing the loft space, it will affect the sunlight and overshadowing of houses at 4 and 5 Hayman Close.

The house will overlook existing homes, both towards Number 17 Greenhills Road, the properties in Hayman Close as well as the adjacent gardens along Greenhills Road and The Avenue. This proposal makes no allowance for the extension at No.4 Hayman Close, which will be considerably closer than the minimum 12 metres on the proposal. It is unlikely there will only be a single glazed window along the entire east face of the building and as such 21 metres would be the Council's minimum distance (page 44 LDFSPD).

It will also cause a loss of privacy to the residents of Haymans Close using their gardens and with views directly into their first and ground floor windows.

The access road to the development will not serve as amenity space since it is too enclosed. It will only serve this tandem development and is a poor use of space. There is no amenity space in this proposal. This proposal looks similar to two poor examples of planning that are not recommended due to loss of amenity space (page 44 LDFSPD).

Access and Parking (AP1,2,3,4)

There are no single tandem developments on Greenhills Road and no similar access roads to that proposed. The only access road on Greenhills Road opens on to a development with significant amenity space with a wide access/entrance enhancing safety when pulling out onto Greenhills Road itself. This proposed access route would be narrow and relatively poorly sighted to both enter and leave. This is a fast and busy road, which does not require additional traffic. Anecdotally it has got significantly busier since the Delancey Hospital residential development has progressed.

The access route would also run along the boundary of the neighbouring property which could cause unreasonable noise and disturbance for its occupants. The proposed new garage by the boundary would be 'unusual and intrusive in the street scene' as specifically asked in question AP2 on page 46 of the LDFSPD and would have a significant negative effect on the frontage.

Other Issues

Although not directly in a conservation area, Greenhills Road sits on the edge of the Central Conservation area. The local schools are heavily oversubscribed and there is considerable pressure on other services as well (slow internet connection links, traffic pressures etc)

I am aware that other local residents share these concerns. It has become apparent discussing this with some local residents that they have not been given written notification of this proposal and as such will not have had an opportunity to review the plans and prepare their own responses.

If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let me know as soon as possible the date of the

meeting.

In summary, I strongly object to this proposal for the above reasons as summarised by the NPPF quote below:

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

Main References (not exclusive list):

National Planning Policy Framework (March 2012)

Cheltenham Local Development Framework Supplementary Planning Document regarding Development on Garden Land (June 2009).

Joint Core Strategy (Gloucester, Cheltenham, Tewkesbury) - Cheltenham Sustainable Community Strategy 2008 - 2011 'Our Future, Our Choice'

Local Plan (including relevant applicable policies and structural plan) 2006

5 Hayman Close
Cheltenham
GL53 9FD

Cheltenham Borough Council
PO Box 12, Municipal Offices, Promenade
Cheltenham GL50 1PP

15th September 2013

For the attention of Miss Michelle Payne, Planning Officer

Dear Miss Payne,

Reference: PLANNING APPLICATION NO 13/01109/FUL

Proposed erection of single dwelling to rear of 17 Greenhills Road, formation of new access and erection of garage for the existing dwelling at 17 Greenhills Road, Charlton Kings by Mr and Mrs D Simpson (revised plan)

We have read and examined the revised plans submitted to the Council for the above development and would like to object to the proposals submitted.

Objections have been raised by several members of the neighbourhood as well as the Charlton Kings Parish Council. The reasons for these objections have not been dealt with by the revised plans and as such the development proposals should be rejected. The Parish Council have previously objected to these plans and if asked are likely to reject these plans again since they object to tandem developments in gardens in line with the Local Plan.

My letter dated 15th July 2013 explains in detail why this proposal is in direct contravention of the Local Development Framework with particular reference to the Supplementary Planning Document (LDFSPD) regarding development on garden land. The detail in that letter is still very relevant and should be read as part of the evidence to reject the proposal.

Although the proposed developers have rescinded their attempts to inappropriately place a new garage directly adjacent to the road, many of the other features remain the same. The following features make this development unsuitable as per the domains set out in the LDFSPD:

- Natural Environment Significance
- Layout and Development Pattern
- Built Form
- Loss of Amenity
- Access and Parking

Cheltenham Borough Council Environment Group			
PASSED TO			
REC'D	26 SEP 2013		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Natural Environment Significance (C1,2,3)

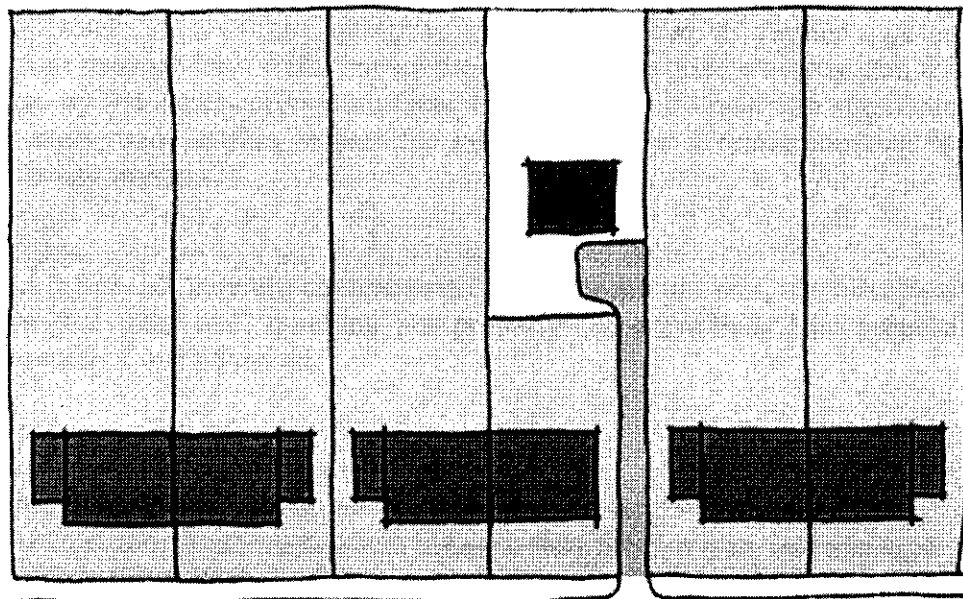
Although the garage has now been moved, a flat roofed garage has been suggested to the rear of the property. This is not in keeping with other properties in the area (examples include Hayman Close as well as the other houses on Greenhills Road) and will be unsightly from a raised viewing position (houses in Hayman Close and Greenhills Road).

We can still find no mention of a phase 1 habitat survey having been completed for this important wildlife corridor.

Layout and Development Pattern (C4,5,6)

There has been absolutely no change here. The property is still in direct contravention of the LDFSPD, page 36, cited as an example of poor planning:

“On a rear garden site, single ‘tandem’ development which shares the same access or even the same plot as the frontage development, will not normally be accepted”.



This is a reproduction from the SPD – it is virtually identical to the proposal. The argument regarding the ‘urban grain’ next to the proposal is not relevant since on that basis all the houses on this street would be able to develop their rear gardens which is clearly not in keeping with the local area and would ruin the area completely. It would be a precedent that all properties along Greenhills Road could copy with implications for schooling, infrastructure and council services. There is still no view of the main road (actively discouraged by the LDFSPD – page 36)

Built Form (C9,10)

The garage from the front of the house has been removed. However the proposed new build still appears larger in floor plan size than the original house. This is again against the principles of the LDFSPD. It is inappropriate to squeeze a 4 bed house with 2 garages and parking for 3 cars onto such a small plot.

“Development in rear gardens which is greater in height, scale and massing than development on the frontage will not normally be acceptable”

Loss of Amenity (A1,2)

There has been no change with regards to this and we refer the Planners to the previous statement. In summary though:

- the proposal will overlook the properties of 4 and 5 Hayman Close as well as houses in the Avenue losing privacy and reducing daylight.
- No allowance has been made for the extension at 4 Hayman Close making it closer than the planning documents suggest
- The access road will not serve as ‘amenity space’ since it will be enclosed with fencing either side. Again this proposal looks strikingly similar to the one on page 44 of the LDFSPD which is cited as a poor example of planning due to its feeling of being cramped, overlooked and issues with noise and disturbance.

Access and Parking (AP1,2,3,4)

The additional garage at the rear means that at least 3 cars will be parked in the rear of 17 Greenhills Road. This will be unsightly and overcrowded. If further cars are parked there (not unusual for a 4 bed house) the situation may arise whereby cars will need to reverse up the access drive onto Greenhills Road itself creating a significant hazard for a busy road. In this respect the new designs are a retrograde step for practical and safety reasons.

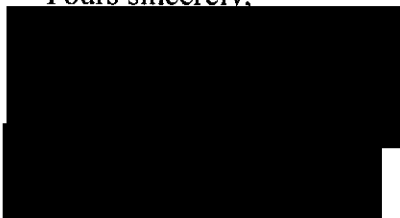
Other Issues

We have been informed there are covenants on all the properties of Greenhills Road which include that only one ‘dwelling per property’ be permitted. This proposal would be in breach of that covenant.


In summary the fundamental problems with this proposal have not been addressed by the minor modifications proposed and it is inappropriate for this area. For that reason we strongly oppose these plans.

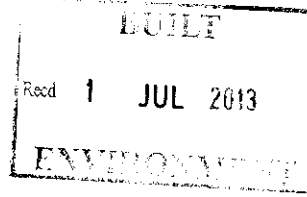
Again, if this application is to be decided by councillors, please take this as notice that we would like to speak at the meeting of the committee at which this application is expected to be decided. Please let me know as soon as possible the date of the meeting.

Yours sincerely,

A large black rectangular redaction box covering the signature and name of the sender.

Cheltenham Borough Council
PO Box 12
Municipal offices
Promenade
Cheltenham
GL50 1PP


4 Hayman Close
Cheltenham
GL53 9FD



18th July 2013

Dear Miss Payne

Reference: PLANNING APPLICATION 13/01109/OUT

**Proposed erection of single dwelling to rear of 17 Greenhills Road.
Formation of new access and erection of garage for the existing dwelling at 17
Greenhills Road Charlton Kings by Mr and Mrs D Simpson.**

I should like to voice my objection to the above planning application.

Greenhills Road is an established attractive neighbourhood with immense character.

The Garden area where this house is intended to be built is a wildlife haven for numerous species of creatures. Woodpeckers , voles , dormice, hedgehogs , foxes , bats , owls to name a few.

There has been so much infill development in this area that the wildlife is only just beginning to recover.

The proposed new dwelling will overlook straight into the garden and windows of no 4 and 5 Hayman Close which are exceedingly close .

They are not 12 metres away.

Number 4 Hayman Close has an extension which is not even shown in the plans which have been submitted.

The distance between the proposed house and the extension is much too near and would cause many many problems on several levels.

Noise, Light and privacy issues.

I see also that a flat roofed garage in front of no 17 Greenhills Road has been drawn on the plans.

This would be completely out of character with the road and neighbourhood.

No houses on this road have garages at the front of the plot and no flat roves are visible either.

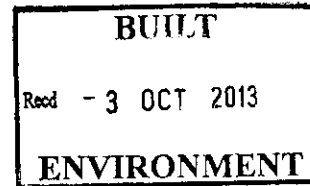
All in all please accept my total disapproval of this planning application.

Yours Sincerely



[REDACTED]
4 Hayman Close
Cheltenham
GL53 9FD

Cheltenham Borough Council
PO Box 12, Municipal Offices, Promenade
Cheltenham, GL50 1PP



1st October 2013

For the attention of Miss Michelle Payne, Planning Officer

Dear Miss Payne,

Reference: PLANNING APPLICATION NO 13/01109/FUL
Proposed erection of single dwelling to rear of 17 Greenhills Road, formation of new access and erection of garage for the existing dwelling at 17 Greenhills Road, Charlton Kings by Mr and Mrs D Simpson (revised plan)

I have read and examined the revised plans submitted to the Council for the above development and would like to object to the proposals submitted.

The revised plans which have been submitted for a 4 bedroom house in the garden of 17 Greenhills Road are definitely no improvement to the original. If anything, they are worse.

A flat topped garage in the back garden with a large drive. No room for turning cars. Are you going to open the flood gates – so every house on Greenhills Road can do the same thing?

This will ruin the character of this beautiful established residential area.

Four bedroom is bigger than houses in Hayman Close, It will look blatantly out of proportion.

Please re-consider this proposal and save the character of this area.

Yours Sincerely,

[REDACTED]

Cheltenham Borough Council	
Environment Group	
RECORDED	
RECORDED	24 JUL 2013
INITIALS OF RECORDED	

South Lawn
9 The Avenue
Charlton Kings
Cheltenham
GL53 9BJ

16 July 2013

Dear Miss Payne

Planning Application 17 Greenhills Road ref 13/01109/OUT

We oppose this application on the grounds that

- The NPPF does not encourage development on private residential gardens.
- The proposed development would not be in keeping with the area and would change its character.

The NPPF framework includes a principle to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value” (Section 17 page 6). However the framework also specifically **excludes** “private residential gardens” from the definition of previously developed land (Annex 2 page 55). It follows that the NPPF does not encourage development on private residential gardens.

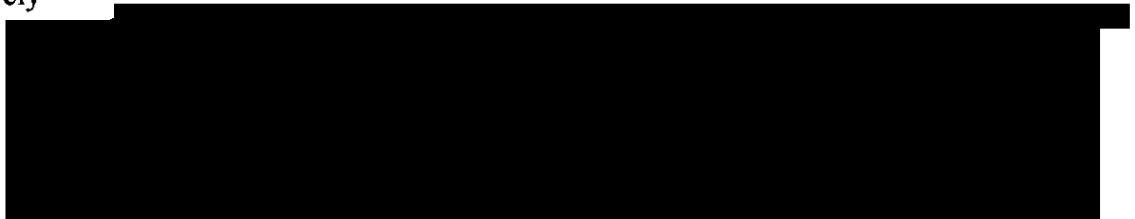
Despite the recent development of some gardens in the area when applications were approved under the outdated policy (now superseded by NPPF), the overall character of the area is one consisting of relatively large gardens, adding a certain charm to the environment. Continuing developments such as the one proposed would undoubtedly adversely change this character.

Creeping development of this nature will also incrementally bring increased health and safety risks in an area already notorious for its busy traffic and narrow pavements along which schoolchildren walk.

In our view there would also be an adverse impact on the privacy of neighbours which would be unacceptable.

Please let us know the date and time of the meeting when this application is to be reviewed. Thank you.

Yours sincerely



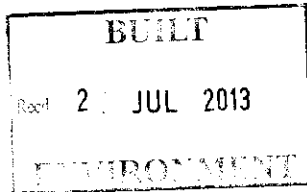


CHELTENHAM BOROUGH COUNCIL



The Owner/Occupier
Brown Gables
8 The Avenue
Cheltenham
Gloucestershire
GL53 9BJ

Planning Officer: Miss Michelle Payne
ddi Number: 01242 264313
e-mail: dccomments@cheltenham.gov.uk
our ref: 13/01109/OUT



Date: 4th July 2013

Dear Resident

Proposal: Erection of a single dwelling to the rear of 17 Greenhills Road, formation of new access, and erection of a garage for the existing dwelling at 17 Greenhills Road Charlton Kings Cheltenham

This application has been registered with the Council. Before a decision is made, I invite you to view the submitted proposal and submit any comments no later than **25th July 2013**.

You can view the application and drawings, and make your comments on our website www.cheltenham.gov.uk/publicaccess quoting the reference number **13/01109/OUT** or write to the address below. Please choose only one of these options to avoid duplication. All representations will appear on our website and will be publicly available.

The application is also available for inspection at the Municipal Offices during normal office hours.

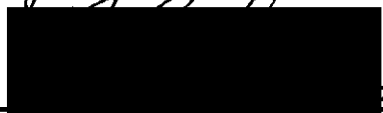
Please confine your comments to planning matters (as set out overleaf) because all views submitted will contribute to the consideration of this application.

Please note that the heading to this letter may be abbreviated and should not be regarded as a complete description of the application.

Yours sincerely

Tracey Crews: Head of Planning

I object to the principle of building garden developments in back gardens generally but to this development in particular as it seems from the plans to be very large for the site - larger than the adjoining burgelows.



Notes overleaf.

MIKE REDMAN : DIRECTOR • BUILT ENVIRONMENT