

APPLICATION NO: 14/01281/FUL		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 17th July 2014		DATE OF EXPIRY : 11th September 2014	
WARD: Charlton Park		PARISH: CHARLK	
APPLICANT:	Ms L Hooker		
LOCATION:	7 St Michaels Close Charlton Kings Cheltenham		
PROPOSAL:	Proposed single storey rear extension and conversion of garage to living accommodation		

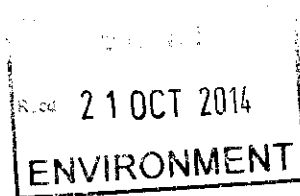
ADDITIONAL REPRESENTATIONS

6 St Michaels Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DW

Comments: 21st October 2014
Letter attached.

10 St Michaels Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DW

Comments: 21st October 2014
Letter attached.



6, St Michaels Close
Charlton Kings,
Cheltenham
Glos. GL53 9DW

19th October 2014

To whom it may concern

Re **14/01281/ful**

My wife and I are retired and we moved into no. 6 St Michaels Close 4 years ago. The kitchen/dining room is the only habitable room on the ground floor where we can sit and relax and look out into the garden. Despite the minor change in height to the original proposed extension at no. 7, we are still very worried about the impact this extension, directly outside the main window of this room, will have on our present living conditions. To look out of our main window at a solid expanse of brick wall will change what at present is a very pleasant light and airy outlook. At the back we have a patio area 3.6m long. To have such a wall, of the height and length proposed, extending the length of the patio, will dominate the area and in our opinion, be very overbearing and oppressive. The attached 'before and after' pictures give some idea as to the impact the proposed extension at no. 7 will have on our present amenity.

We would like to make the following points with respect to the Officer Comments in the Agenda in response to objections received:-

6.2 Design in accordance with Local Plan Policy CP7

6.2.2 We agree that the addition will be clearly distinguishable from the original dwelling and in which case cannot also represent a subservient addition.

6.2.3/6.2.5 We do not agree with the planning officer that the proposed flat roof extension reflects the character of the original house.

6.2.4 Our main concern to the change in use of the garage is the precedent it will set with the possible consequence to the present high standard of architectural design of the St Michaels Close development.

6.2.4 As already mentioned we do not agree that the proposal is an appropriate addition to the original dwelling.

6.3 Impact on neighbouring property in accordance with Local Plan CP4

6.3.2 / 6.3.3 The design principals, outlined on page 3 of the Cheltenham Borough Council's 'Local Development Guidelines', used to establish the height, length and width of an extension, state that if the extension lies within a 45 degree line, taken from the centre point of any window to a habitable room, it is likely to cause significant loss of light. Despite the minor change in height, using these guidelines, the revised design still infringes the limit of both height and length.

In addition, the fact that our window is already set back by 1.2m means the extension

wall will extend 4.8m from our window making the situation even worse.

6.3.7 We strongly disagree with the conclusion of the planning officer and believe that there will be an overbearing impact on our amenity and loss of light to our kitchen/dining room. If planning permission is given for an extension such as this, it will set a precedent that could find an occupier with large brick walls on either side of them significantly reducing their sunlight and daylight, casting a shadow over their property and turning their patios from sunny into permanently shaded areas.

6.4 Loss of parking

6.4.1 Again there is an issue of precedence. The original reason for the Council making a restrictive condition regarding the garage/parking space of each dwelling during the original development in 2004, was in the interest of highway safety. Whilst No. 7 has 2 off-road parking spaces in addition to the garage, others on the site do not.

6.5.1 When the planning application to build St Michaels Close was applied for, only 10 years ago, there were many objections to the development and the Council insisted on a number of conditions before permission was granted. Covenants were laid down restricting changes to the properties such as change of use of the garage, erection of any additional buildings or structures and the distance such building or structures should be away from the side boundary. Permitted Development Rights were then removed from the land, presumably to protect the covenants and prevent unreasonable building and changes to the design of the site.

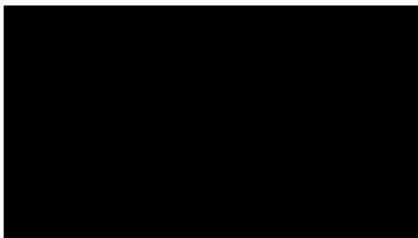
We are aware that covenants are a legal issue but since, in this case, they were put in place at the insistence of the Council, should the Council not have some responsibility to uphold them?

For instance, I understand that If Permitted Development Rights hadn't been removed an extension of up to 3m could be erected without planning permission. The removal of Permitted Development Rights therefore was to protect the development from all building up to 3m in length. In which case why would an extension 3.6m long be permitted!

We understand that No.7 wants an extension for the purpose of increasing her family living space and we would not object to an extension of reasonable size and sympathetic design similar to other granted application in St Michaels Close. We believe an extension shorter in length and a combination of brick and glass would be more suitable for the design and size of the houses and back gardens in the development and have less of an impact on us as immediate neighbours.

Cheltenham Borough Council together with Miller Homes did a good job designing the development in St Michaels Close. The development is only 10 years old and I believe the Council still has a responsibility to maintain the carefully designed rhythm and balance of the site.

Yours sincerely



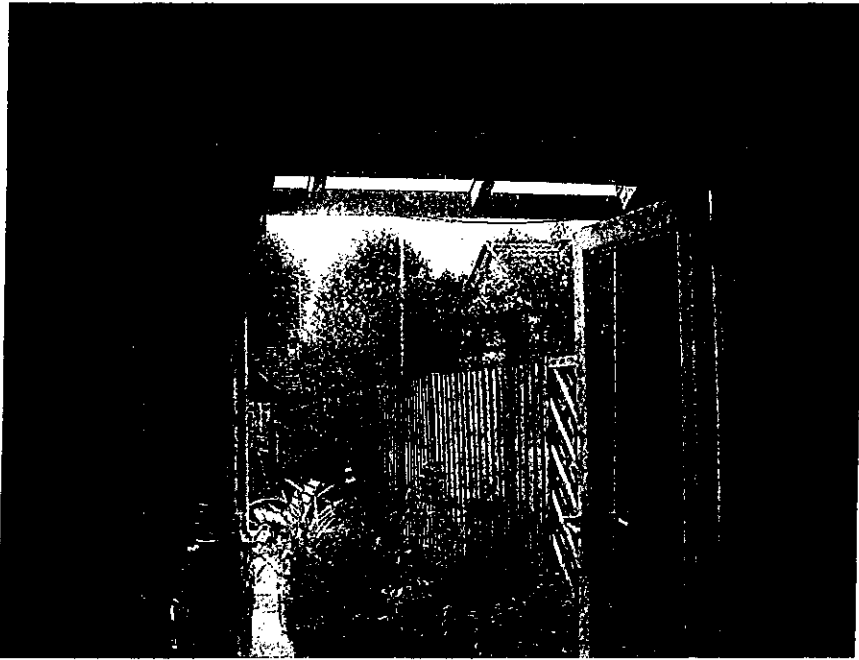
Before



After



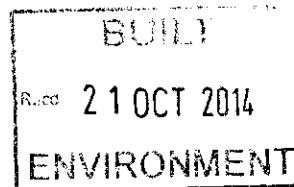
Before



After



From: [REDACTED]
Sent: 20 October 2014 15:22
To: Baker, Judith
Subject: Planning Application 14/01281/FUL



Ms Baker

I wish to make a statement against the above application prior to the Planning Committee meeting on 23 October. I own No. 10 St Michaels Close.

There are restrictive covenants on all owners in the Close, limiting the modifications to dwellings. They include the change of use of integral garages, and changes to the appearance of the front elevations. The objective is to maintain the satisfactory appearance of the buildings and preserve visual amenity. If this application is approved it creates a precedent for untrammelled changes to appearance and spoils the look of the Close.

The covenants were presumably imposed by the Planning Authority on the original developer, Miller Homes, in 2005. To preserve the original design vision these covenants are enforced by the Management Company. Planning guidelines may change in time but the original requirements are enshrined in the TP1 document regarded as legally binding on the owners. If the Planning Body does not continue to support the design aims it undermines the authority of the controlling document.

Regards

[REDACTED]