

<b>APPLICATION NO: 18/01083/CONDIT</b>		<b>OFFICER: Mrs Emma Pickernell</b>	
<b>DATE REGISTERED:</b> 1st June 2018		<b>DATE OF EXPIRY :</b> 27th July 2018	
<b>WARD:</b> Benhall/The Reddings		<b>PARISH:</b>	
<b>APPLICANT:</b>	Mr M Le Grand		
<b>LOCATION:</b>	Cotswold View The Reddings Cheltenham		
<b>PROPOSAL:</b>	Variation of condition 2 on planning permission ref. 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes.		

## REPRESENTATIONS

Number of contributors	<b>21</b>
Number of objections	<b>20</b>
Number of representations	<b>0</b>
Number of supporting	<b>1</b>

Lynwood  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 25th June 2018

Once again it appears that developers are trying to get away with building something for which they do not have planning permission. The site is overdeveloped with 3 properties replacing the former single dwelling on this site. The buildings under construction do not blend in with the surrounding properties. Planning permission should not have been granted in the first place and to allow them to now become 4 bedroom properties with the attendant extra parking generated makes a mockery of the planning system. Please reject this change to the permission.

Niamey  
North Road East  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RA

**Comments:** 30th June 2018

What a cheek! Devious attempt by the developers to get the four bedroom houses they wanted in the first place.

The Planning process must put its foot down to stop these cynical "variations" to original consents. There will simply be insufficient parking to service four bedroom houses - I can see exactly what will happen if this goes ahead (and probably will anyway) overflow parking will move to the narrowest part of North Road East - near the mini roundabout. We already have experience of the chaos this causes by the builders vehicles always parking there. How about double yellow lines along this stretch of road in any event?

They can't be allowed to get away with this.

2 Barrington Avenue  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6TY

**Comments:** 10th July 2018

I object on the grounds that initial planning permission was given to only three bedroom houses. To allow the builder to completely ignore the planning application process and build a fourth bedroom without necessary permission makes a mockery of the process. Adding to these dwellings increases the number of people living in a small space on the already overly busy Reddings Road. With more people comes more cars and more traffic which we have on many occasions almost caused catastrophic accidents. To allow this to go ahead will be to the detriment of those residents already living on and around the location. Furthermore it will make a farce out of the CBC planning application process completely undermining its authority and experience of the council and its powers of enforcement.

The Reddings Residents Association

**Comments:** 27th June 2018

Letter attached.

8 Orchard Close  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6LD

**Comments:** 12th June 2018

This revised planning permission suggests that it is for the addition of rooflights. However it also appears that it also includes an extra floor and bedroom making these 3 bedroom properties 4 bedroom.

There was a lot of objection to the massing of this development when the original planning application was submitted as 3 bedroom dwellings. Surely this bedroom addition cannot be allowed as it would set an awful precedent as to a way of shortcutting the planning process on contentious sites.

Therefore I object to this application.

3 Springfield Close  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6SE

**Comments:** 27th June 2018

Having failed to be able to leave a comment on the Council Planning Website, despite trying repeatedly over the last 10 days I would be grateful if you could post the following objection for me.

The development consisting of x 3 Bedroomed houses has indeed been built; I would question whether the height of these houses is what was actually approved. Approval was given for them to consist of 3 bedrooms.

I am now appalled that that there has been a submission for an alteration in the original planning application that was approved.

Appalled, because the developers have not waited for your approval for these alterations, the houses are being advertised as 4 bedrooms and the application for the Velux Windows, well they have ignored this and have already installed them. This arrogance is, I understand on the basis that developers are rarely, if ever, asked to remove development changes they made whilst waiting for permission. Are there, I wonder any boundaries to this custom and practice?

I do object to these houses having the windows and 4th bedroom, all of which I can see from my kitchen. These buildings have made the lovely south facing garden dark, I have lost all the privacy I ever had, and the buildings are much closer to my fence than the impression the plans seemed to give. They loom over my back garden!

This continual attack on The Reddings really is unfair - I repeat one of my earlier comments that the original destruction of that old cottage would not have happened in Stow or Bourton; why is Cheltenham so different and often so unreasonable in its decisions?

2 Springfield Close  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6SE

**Comments:** 8th June 2018

This application takes the approved 3 dwelling development from three to four bedrooms houses with all the implications that has on neighbour privacy, additional parking, access and traffic disruption.

If the original application had been for four bed houses the implications would have been able to have been considered properly by the neighbours and the planning authority, but, as it is an amendment at a point when the waterproof shell is nearing completion, there is no chance to re-assess the impact other than to oppose this amendment.

As the development is being marketed as Executive houses the additional bedrooms make it questionable whether the parking provided will be sufficient and could lead to a more likely scenario where there will be more on street parking at a location that is likely to have a considerable impact on traffic movement.

The layout of the nearby mini roundabout already has problems with manoeuvrability of buses and lorries and has recently been damaged, and additional parking will not make this any easier to negotiate.

This amendment should be refused and the original 3 Bed approved application should be enforced.

Fernleigh  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RY

**Comments:** 21st June 2018

What contempt Mr LeGrand seems to have for the planning process!

He didn't apply to build three 4 bedroom houses. They would almost certainly be rejected. Instead he sought permission for three 3 bed houses. He then attempted to add a whole new storey to each property, presumably hoping no-one would notice until it was occupied, when it could be chalked up as Permitted Development.

Fortunately, local residents did notice and now he has to apply for permission for this sneaky, underhand change.

Despite this perceived blatant attempt to circumnavigate the law, there are good reasons to reject this application:

1) Three large four-bed properties in this location are clear overdevelopment:

One only needs to walk past this building site to realise that this development - as many argued at the time - is grossly out of proportion with other constructions on the road and it jars with the rest of the street scene.

2) The floor plan of each house is significantly enlarged:

Had the original application been for such huge properties, it would have almost certainly been rejected.

3) There is insufficient parking for 3 four-bedroom properties on this site:

It will lead to even more street parking close to a hazardous junction, causing serious visibility issues for vehicles and pedestrians and a danger to life.

4) Inconsistencies in the original traffic survey have come to light throwing into question the validity of the whole application:

Volume of traffic and speed issues may well have been misrepresented. This should be investigated fully before a decision is made and work stopped until clear answers are forthcoming.

I hope, with the wisdom of hindsight Councillors now realise it was a huge mistake to approve this development and refuse this significant change to the original specification.

Mr Le Grand is not above the law and I urge the Committee to reject this application.

**Comments:** 21st June 2018

I notice, with interest, that Mr Le Grand has been caught trying to add an extra storey to his much detested development on the old site of Cotswold View in the Reddings.

It's rather lenient of the compliance officer to allow construction to continue. It reflects badly on compliance that developers believe they can do what they like with little to no challenge. Surely this makes the whole system farcical?

In light of the fact that parking provision is woefully inadequate for four bedroom properties, I'm assuming you will not be recommending approval this time around?

Now these dreadful monstrosities are being thrown up, it's very clear that - as many of us argued at the time - the site is over developed, the size of properties is inappropriate and this should never have been approved in the first place. This latest insult from Mr Le Grand, with respect, rather makes fools of the Planning Department and those who voted for the development. I hope you take a dim view of his antics here and will push back appropriately.

I notice also that TRRA has picked up some alarming inconsistencies concerning the traffic survey with hundreds of cars mysteriously vanishing from the data! I trust you are giving this the serious attention it requires? I also hope our local elected representative will be taking this up.

I remain convinced this application was and is a mistake and I hope the Council will finally be strong in its handling of Mr Le Grand. As a community, we strongly resisted the destruction of Cotswold View and it is right we feel just anger at what is happening on this site. I hope when this goes before committee again, Councillors will do the right thing and reject this.

Coppalex  
North Road East  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RE

**Comments:** 30th June 2018

This application should read as a retrospective, full application for three extended 4 bedroom properties, rather than a variation to permit Velux type roof lights.

It will most likely result in an increase in occupancy with the requirement for additional parking and there is no provision for this. Any additional vehicles will most likely end up parking on North Road East close to the busy and dangerous junction. The raised roof height and additional velux type roof lights will further increase the loss of privacy for those living behind this development.

Considering the strength of local opposition when Cotswold View was demolished it is appalling that this is being allowed to happen.

The developer is obviously very confident that he will get the permission he requires as work continues apace on tiling the roof.

Allowing this application to go ahead sets a worrying precedent and should therefore be rejected.

4 The Grange  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 18th June 2018

I am writing to object the above proposal.

The original planning permission was given for 3 x 3 bed houses which in the space is already excessive. Adding another bedroom will potentially mean 5 plus people at each address giving potentially 15 extra cars in that small space. The parking at each property is at present only enough for 1 car. This will mean potentially 12 extra cars needing space for parking which will obstruct the roundabout or push the parking round the corner into North Road East which is already suffering from extra parking with the BMW employees.

This will be a dangerous situation and will exacerbate the parking problem.

Not to mention the additional noise from the potential of 15 extra residents in that small space. The gardens are already tiny for that amount of people and the extra noise and lack of privacy for the houses at the back and front will be excessive and anti social. Who would like that development so close to the rear of their back garden?

It looks like this was already decided before the application was made due to the presence of Skylights already present in the roof. The builders obviously knew this would not be allowed in

the initial application so it shouldn't be allowed now. The picture on the site of the houses doesn't show any skylights despite them advertising 3, 4 bed houses before the permission has been given. This is typical practice of builders and should be stopped now! It shows total disregard of the neighbours feelings and their quality of life and will no doubt cause conflict.

This application should be refused and the original plans enforced.

Fayrecroft  
North Road East  
The Reddings Cheltenham  
Gloucestershire  
GL51 6RE

**Comments:** 27th June 2018

I feel that this is a cynical exercise to manipulate the planning system by applying for 3x3 bedroom properties and then trying to push through the alleged original intention of building 3x4 bedroom properties.

I feel that if 3x4 bedroom properties had been originally put forward, the application would not have been successful ,especially as the off road car parking provision would not have been adequate.

Cars and vans are already clogging up North Road East near the mini roundabout. Any additional cars on this development would have to park on the road. If they were parked on Reddings Road they would hinder visibility, while they would present an additional obstruction on North Road East.

In either case they would increase the risk of road accidents.

I also find it odd that they are being marketed as "executive homes." If I was looking for an executive home I would look at Grace Gardens or Redgrove Park. Although I appreciate photographs can sometimes be deceptive, I would be very disappointed to view one of these three properties crammed into a comparatively small area.

I feel that to grant permission would set a dangerous precedent to other local planners.

I feel that the planning should also protect the interests of the neighbours. One neighbour has already stated that his privacy has been compromised.

This application should be rejected.

Lynwood  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 25th June 2018

I object to this variation as it will add an additional bedroom to the houses currently under construction. More bedrooms mean more people and more cars. There is not enough parking provided even for the houses as they were given permission to be developed. If people then park on the road it will cause obstruction on what is already a narrow road and a bus route. I feel it is a cynical use of the planning process for a developer to ask to build one thing and then ask for a variation to allow an even bigger development to make more money out of it. From reading other

comments with the description of the building process, it appears this was the intention all along. I do not feel this should be allowed. Please reject it.

3 Springfield Close  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6SE

**Comments:** 19th June 2018

Having failed to be able to leave a comment on the Council Planning Website, despite trying repeatedly over the last 10 days I would be grateful if you could post the following objection for me.

The development consisting of 3 Bedroomed houses has indeed been built; I would question whether the height of these houses is what was actually approved.

I am now appalled that that there has been a submission for an alteration in the original planning application that was approved.

Appalled, because the developers have not waited for your approval for these alterations, the houses are being advertised as 4 bedrooms and the application for the Velux Windows, well they are ignoring this and have already installed them. This arrogance is, I understand on the basis that developers are rarely, if ever, asked to remove development changes they made whilst waiting for permission.

This was inferred at the recent Reddings Resident Association by one of the Planning Committee members.

I do object to these houses having the windows and 4th bedroom, all of which I can see from my kitchen. These buildings have made the lovely south facing garden dark, I have lost all the privacy I ever had, and the buildings are much closer to my fence than the impression the plans seemed to give. They loom over my back garden!

This continual attack on The Reddings really is unfair - I repeat one of my earlier comments that the original destruction of that old cottage would not have happened in Stow or Bourton; why is Cheltenham so different and often so unreasonable in its decisions?

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5 Springfield Close  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6SE

**Comments:** 20th June 2018

I live behind the houses now being built. I saw the work on the roof and the provision for the roof lights, and the installation of the windows, shortly followed by the tiling.

I don't understand the process if a builder is given permission to build three, three bedroom houses ( one too the many for the site in my opinion), then proceeds to put a sign up describing them as four bedroom executive homes.

Now, clearly, provision has been made for the fourth bedroom in the roof before the change in plans are even considered.

The implication is that the builder knew it would be approved. If so, how? By whom?

In addition, describing the houses as "executive", gives a false impression of grandeur and space. The houses are large, imposing, but out of all proportion considering the size of the plot.

The parking spaces at the front and the shaded gardens at the rear are very small, totally inappropriate for houses of this size.

One parking space per household? As the site is very close to the mini roundabout, there will not be room for street parking close by, so I expect North Road East will be the carpark.

It's too late to do anything about the build, apart from reinforcing the original plan for three bedroom houses.

So I would like to see the enforcement of the original plans and the roof lights removed.

March House  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 19th June 2018

I object very strongly to this proposal; it is yet another example of a property developer cynically abusing the planning system.

Approval for this development was granted after a protracted debate extending over 2 meetings of the planning committee. The major concern was about parking and additional vehicle movements increasing the hazards on this already busy bus route.

Permission was eventually granted in November 2017, Condition 2 of the decision clearly stated that the development was to be in accordance with the approved drawings which clearly show 3 properties, each with THREE bedrooms. The existing building was demolished, and construction of the new houses started in January 2018.

Around March 2018, a hoarding appeared at the edge of the site advertising three FOUR bedroomed houses, in other words what was being built blatantly disregarded condition 2 of the formal permission. This 'CONDIT' application is a retrospective attempt to regularise this situation.

This is a MAJOR CHANGE to the original application. It is simply unacceptable for a developer to get planning permission, then build something different (hoping no-one will notice) and then put in a retrospective application to be 'noddled through' by a compliant officer in the Planning Department. In the Reddings area alone to my knowledge this has happened before (The Hayloft - and probably BMW also), and will undoubtedly happen again should the Aldi development be allowed. This application should be referred back to the full Planning Committee and REFUSED. This might encourage developers to operate in accordance with the planning laws in future.

There are other valid reasons for refusing this application which are set out in other comments on this application, and which I support.

Iona  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 15th June 2018

I wish to object to the variation condition.

The applicant obviously knew what he wanted build but was aware that an application for a three storey building in this area would most probably be rejected.

The fact that he has now applied for the condition to add roof lights (which he has already installed) and increase the number of bedrooms to 4 as stated on the advertising banner attached to fence around the site is purely his way of getting around planning restrictions.

If this condition is permitted it will lead to a further loss of privacy to the neighbouring properties.

Carobs  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 24th June 2018

Initial planning permission was given for 3 3-bedroom houses which have been shoe horned into a space that previously contained one cottage. The developer has asked for retrospective planning to include a fourth bedroom for each house and confident enough to change the advertising board already offering four bedroom houses. The Residents Association had already queried the roof height but this presumably went unchallenged? Parking for the houses is already inadequate but the likelihood of more car owning occupants parking on the street in the proximity of the Reddings and North Road East roundabout is inevitable. The Reddings is a main Stagecoach bus route. Are they ever consulted as to the effect it might have on their operation? Gloucester Highways also need to give this proposal serious consideration.

Hamilton  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RY

**Comments:** 16th June 2018

This is a retrospective application - the changes have already been made! Also this is an application to add a whole extra floor, not just rooflights.

This change enables the properties to become 4-bed, 3-storey houses instead of the "2-3 bed" 2-storey properties approved in the initial application. This is a significant increase across the three houses and shouldn't be sneaked in using an S73 application.

A key point of the original approval is that parking is limited - going from "2-3 bed" to "3-4 bed" is a 30-50% increase in occupancy, and there is just not the space for that increase in parking.

4 Shakespeare Cottage  
North Road West  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RF

**Comments:** 12th June 2018

This retrospective application - which has for some reason not been identified as retrospective - should not have been accepted as anything other than a full application for 3 larger 4 bedroom properties.

An S73 application is for minor material amendments where the scale and nature result in a development which is not substantially different from the one which has been approved. A 33% increase in potential occupancy and 33% under provision of parking is not insignificant.

Although the application only mentions rooflights, the layouts show an additional storey with extra bedroom and therefore an under provision of parking as 3 spaces should be required - this is not achievable on an already cramped site though no doubt the limited landscaping will be completely eradicated to try.

The fact is that the developer has not sought to resolve the matter of breaching the planning approval - that would involve them building what they have permission for. They have instead asked CBC to vary the approval to allow them to build what they want to build (and are currently building on site).

Planning enforcement will not take any action as they believe it would be a "waste of public funds".

Planning enforcement is a discretionary power that should be used to put right harm caused by a failure to comply with planning control. Such action should normally occur when the breach in question results in an unacceptable departure such that the scheme in question would have been refused planning permission if it had been the subject of a planning application.

A scheme of 3 storey dwellings with 4 bedrooms would not have got planning permission. It may even be that the developer had a pre-planning consultation on such a scheme and was told it would not be acceptable but it appears no one at CBC is capable of confirming this.

It also seems that no one can be bothered to go and check what drawings have been submitted to building control - as an aside the current layouts do not comply with building regs - that way it could be established if the developer was always intending to build contrary to the approval or if it is all just a "misunderstanding".

The developer has shown no regard for the planning process or neighbours at any time and is still failing to comply with their construction method statement approved under 17/02298/DISCON, in particular parking of site operative vehicles which should be on site - a considerable number of vehicles are being parked on North Road East causing issues around the roundabout junction with The Reddings.

If CBC allow this application it shows that they are open to manipulation and toothless in terms of defending the spirit of permitted development which is intended as a benefit for occupiers of completed dwellings, not as a way of generating a quick profit for the developers that are building them.

The Hedgerows  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RL

**Comments:** 27th June 2018

I wish to express my strongest objection to this proposal.

This is a blatant premeditated attempt on the applicant's part, using tactics designed to undermine the effectiveness of the planning process, to achieve a development solution that would clearly be a gross over-development of the site with potentially very serious road safety implications.

On viewing the site it is immediately apparent that the three dwellings constructed in place of the original cottage already constitute a significant over-development.

It is particularly important to emphasise the absence of garages or sufficient space to properly accommodate the number of vehicles necessary within the curtilage of the site.

The site fronts a narrow road, serving as a busy thoroughfare, with unrestricted on-street parking, adjacent to a traffic roundabout, a local shop, a post box facility, small business premises and a bus stop in frequent use by schoolchildren, senior citizens and other members of the community.

Granting permission to increase the number of bedrooms and/or other useable space within these dwellings would obviously raise the potential occupancy of each dwelling and inevitably lead to an intensification of activity at the site, due to more visitors, more deliveries, more vehicle movements, more on-street parking etc. This, in turn, would result in a significantly increased risk of accident and injury, which I consider to be unacceptable and reason enough to refuse permission.

In ignoring these genuine safety issues and the heartfelt concerns of local residents, choosing instead to build 4-bedroom houses on a site with permission for 3-bedroom houses only, whilst brazenly advertising 4-bedroom houses for sale, the developer demonstrates a confidence amounting to arrogance and overt contempt for the planning process, those responsible for its administration and the genuine concerns of local residents, who would have to suffer the consequences if this application is approved.

The subject of this application is not appropriate for this site, for the reasons stated. I strongly object to it and request that it be refused.

Maison Des Femme  
North Road East  
The Reddings  
Cheltenham  
Gloucestershire  
GL51 6RE

**Comments:** 18th June 2018

I object wholeheartedly with this application. I too have noticed a week ago that the proposed roof-light alterations to the three properties have already been made in an attempt to hood wink everyone in the planning process with this unpopular development.

The original three three-bedroom property application was bad enough for the environment with the inevitable on-street parking that will occur immediately before a side turning and a mini-roundabout junction. The proposed four-bedroom properties will create a worse parking problem where currently ALL other properties in the road have sufficient OFF road parking. This development is therefore not in character with the existing environment. The planning team should at least enforce removal of the roof-lights which have to date been constructed WITHOUT planning permission.

Consideration should also be given for double yellow lines around the junctions which will be become more dangerous if on-street parking is permitted - in fact around 5-6 developers vehicles are frequently parking at the top of North Road East making the approach to/from the mini roundabout a nuisance. These guys are obviously parking in North Road East because they themselves are only too aware of the issues they will cause by parking just a handful of vehicles on The Reddings.

Shame on CBC for permitting this disgraceful development to start in the first place. The developers are getting the upper hand over you in this area - your motives and ethics are questionable at least.



# The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

**18/01083/CONDIT | Variation of condition 2 on planning permission ref. 17/01220/FUL to amend the approved plans to allow for the addition of roof lights to the front and rear roof slopes. | Cotswold View The Reddings Cheltenham Gloucestershire GL51 6RY**

## **The Reddings Residents' Association (TRRA) object.**

It seems to us that this application would be better described as a retrospective, full application for three extended 4 bedroom properties, rather than a variation to permit Velux type roof lights.

We have corresponded with the officers on this matter, because we understand that a Section 73 application is intended for minor material amendments, where the scale and nature will result in a development which is not substantially different from the one which has been approved. This application will result in a 33% increase in potential occupancy and therefore gives rise to a 33% under-provision of parking space for each property on this site. In our opinion, this is not insignificant and it does not therefore constitute a minor amendment.

After all of the controversy over this application and the conditions that were carefully considered and imposed by the planning committee; to register this application as a variation amendment to include just 2 roof lights seems to us to be somewhat stretching of the letter and spirit of the planning regulations.

The original application, clearly states 3 houses, with 3 bedrooms each on the application form. That is what was approved. The floor plans submitted for this application clearly show 4 bedrooms. The developer is openly marketing them as 4 bedroomed executive homes, utilising a permitted development loophole that he has "misunderstood".

We understood from discussion with the officers in early 2017 (before the proposal was actually submitted) that in the pre-application consultations a 3 storey proposal was made to Chloe, who rejected it. We would ask that records of the pre-application advice are checked and included in the report to the planning committee please.

We are concerned that dealing with this "oversight" in this way will set a dangerous precedent for developers in the County to mislead the planning officers, neighbours and the planning committee on future applications, and we are mindful that other Council planning departments will enforce against much lesser variations than this one, even enforcing against a private person who built a patio to the incorrect height.

<http://www.dailymail.co.uk/news/article-5803609/Mother-one-hauled-court-new-2500-garden-decking-neighbours-said-high.html>



# The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Nick Raynsford's (former housing minister) comments & recommendations on the current planning process are also relevant:

<http://www.constructionmanagermagazine.com/news/raynsford-planning-system-historically-low-ebb/>

If this application is permitted, the proposed 4 bedroom properties will each require 2.5 parking spaces. However, only 2 spaces are to be provided for each of the existing 3 bedroom dwellings that have been granted permission and there is no more room to construct any more on this site. As such, it seems to us that if 4 bedroom dwellings had been proposed at the outset, they would have had to have been rejected by the officers and the planning committee as over-development. We therefore respectfully request that it be rejected now.

We are concerned that instead of the developer seeking to resolve this breach of the planning approval, he has instead made application to CBC to vary the approval so that he can build what he wants to build (and continues to build, apparently confident that approval will be granted).

We believe that harm will occur in the local area due to this unacceptable departure from the permissioned scheme in the event that this retrospective permission were to be granted as a variation, because it will then constitute over-development. This question was debated by the planning committee at some length on both of the occasions that it came before them in 2017 in relation to the 3 bedroom proposals.

We note that the only consultee has been Gloucestershire Highways. It occurs to us that if Building Control had been consulted, it would have been clear from the drawings and calculations that the developer submitted to them whether or not he always intended to construct 3 storey, 4 bedroom dwellings. Not least of all, because of the additional foundation loading, fire regulations and protections and the additional staircase. Further, the plan layouts as drawn, will not comply with building regulations because the WC door opens outward onto the top of the stair. We respectfully suggest that Building Control should be consulted on this point before any determination is made.

Since starting work on this site, the developer has shown little regard for the planning process or consideration for neighbours and has consistently failed to comply with his own construction method statement approved under 17/02298/DISCON. This states that site operative vehicles should be parked on site. However, materials, scaffold and site plant occupy the full area of the designated parking area and a considerable number of vehicles are being parked on North Road East. This is causing road safety issues around the roundabout junction with The Reddings. Statutory site health and safety equipment including hard hats and Hi-Vis vests are also routinely not being worn on site.



# The Reddings Residents Association

c/o Fayrecroft North Road East The Reddings Cheltenham Gloucestershire GL51 6RE

Our research does suggest a pattern of behaviour by this particular developer. We set out a short extract of two of his recent applications below:

This application was submitted by the same developer in May 2016 and was permitted:  
<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?keyVal=O7F8GOELMH400&activeTab=summary>

Discharge of conditions followed in July 2016 and it is assumed that building work commenced at around the same time.

A little later in July 2016, the developer then submitted a FULL application with, rooms in the roof. The application was permitted (although the developer had previously withdrawn a similar proposal made at the start of the planning process. We do not know why a full application was required on this site, (rather than the variation application which is listed here) but, the same issues with over development, demolition of a smaller existing property and construction of the same semi-detached that he commonly seems to construct have occurred.

Similarly, the pattern of demolish, overdevelop, amend and repeat is exhibited by this same developer on this application:

Permission granted for Le Grand developments to construct 2 bedroom properties  
<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?keyVal=LORPMJEL0BC00&activeTab=summary>

But they are then amended to provide an extra bedroom:  
<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LSLA83EL07R00>

If the original application on the Cotswold View site had been for four bed houses the implications for neighbour privacy, additional parking, access and traffic disruption and compliance with rules and regulations could have been considered properly by the neighbours and the planning authority. However, the applicant has instead presented it as an amendment, at a point in the construction when the waterproof shell is nearing completion. By continuing with the construction following the intervention of the CBC enforcement officers, the applicant is “taking a calculated risk” because by the time the application is determined, work on the roof will be complete and work to the interior will be well underway. It seems to us that the applicant has now presented a simple polarised choice for everyone to accept what he wants to build, or to reject the non-compliant work and enforce the planning permission and its conditions which the planning committee made such careful determination over.

A large part of the previous planning committee debate centred on road safety. It will be recalled that residents, TRRA and ward councillors confirmed that the layout of the mini roundabout, which is very close to this site already has problems with manoeuvrability of buses and lorries.



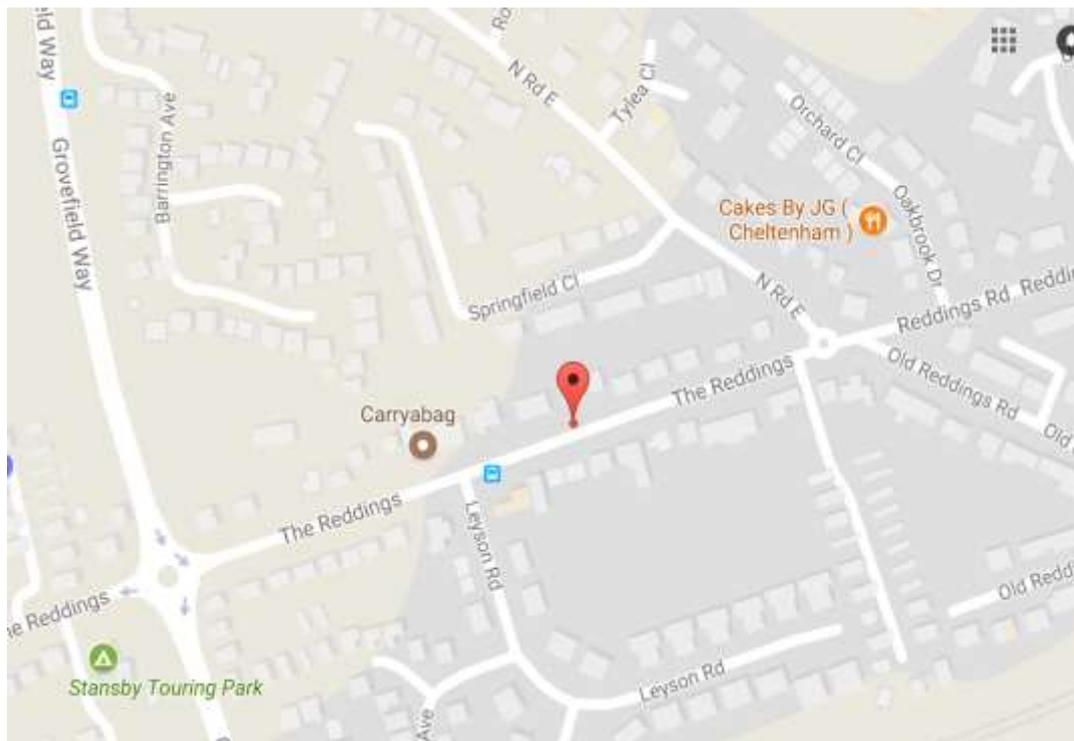
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The roundabout itself has recently been damaged by a vehicle. The creation of need for permanent additional on-road parking around Cotswold View (because the developer has not supplied the required number of parking spaces that is required for each of these 3 properties), will not make the roundabout any easier to negotiate and will most likely force traffic out around the vehicles into the line of oncoming traffic. That could result in a collision between vehicles with very high closing speeds – please see below:

When the committee first debated this application, the decision was deferred in order that the developer could undertake a road traffic survey. Residents and TRRA were alarmed at some of the speeds that were being recorded daily during the applicant's traffic survey.

The traffic was monitored at two locations. The first is shown on the map below:



and is close to Springfield Stores. The follow tables show some of the vehicle speeds recorded, the times and the frequency.



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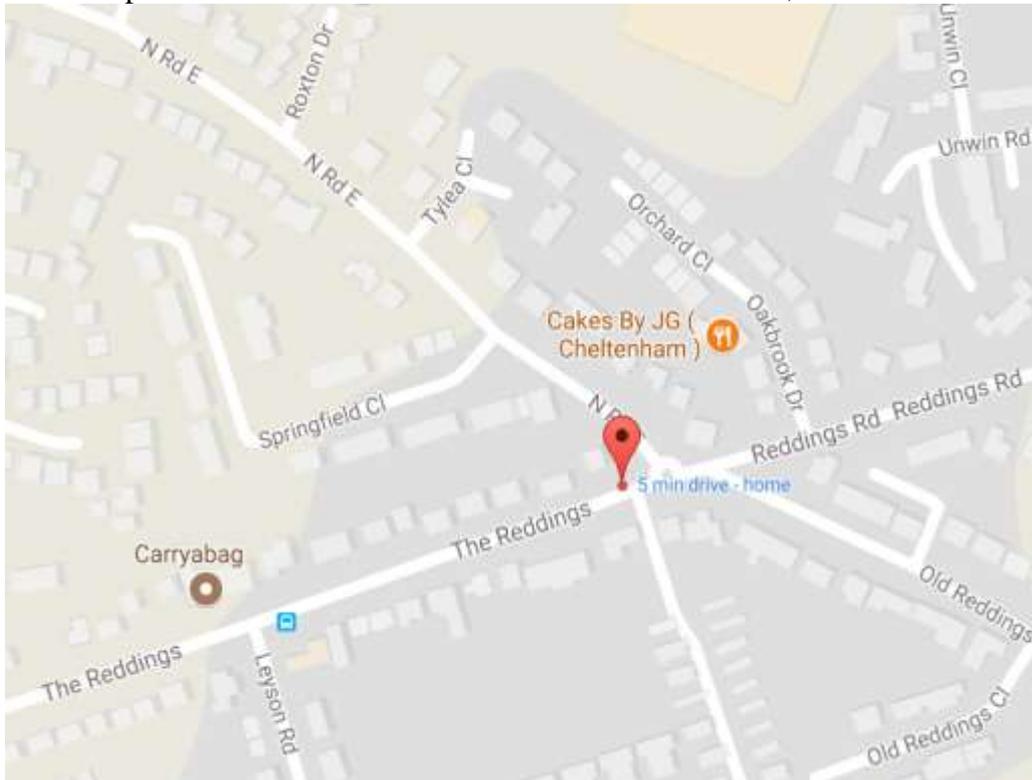
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Car speeds, numbers & times		OVER 60mph																							
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday									2		1							1							
Tuesday								1										4							
Wednesday								1							1		1			2	1				
Thursday							2	4	1			1							1						
Friday												2					3			5					
Saturday											1										1		1		
Sunday										1		3													

Car speeds, numbers & times		50mph - 55mph																							
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday							1										1	1							
Tuesday																									
Wednesday																	1								
Thursday																									
Friday																					1	1			
Saturday																									
Sunday																							1		

Car speeds, numbers & times		50mph - 55mph																							
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday								1							1					1	1				
Tuesday													1						2						
Wednesday			1																			1	1		
Thursday																	1								
Friday																1						1			
Saturday																									
Sunday									1																

Vehicle speeds were also monitored close to Cotswold View, as shown on the map below:





# The Reddings Residents Association

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Car speeds, numbers & times OVER 60mph																									
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday							2	4								2		1	1						
Tuesday									4	2	1	1		1					4		1				
Wednesday										1				2			3	2	2			1			
Thursday									2	1			1					5							
Friday								1	2	3							3	1					1		
Saturday										1					1		3	1	2	1					
Sunday																			1						

Car speeds, numbers & times 55mph - 60mph																									
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday																1									
Tuesday									1							1									
Wednesday								1											1						
Thursday																							1		
Friday																									
Saturday																									
Sunday																									

Car speeds, numbers & times 50mph - 55mph																									
	00-00	01-00	02-00	03-00	04-00	05-00	06-00	07-00	08-00	09-00	10-00	11-00	12-00	13-00	14-00	15-00	16-00	17-00	18-00	19-00	20-00	21-00	22-00	23-00	24-00
Monday																									
Tuesday														1											
Wednesday																	1	2							
Thursday																									
Friday																	1								
Saturday																									
Sunday																									

Whilst analysing the applicants data to identify times and frequencies of speeding vehicles, we noticed an anomaly with the vehicle numbers recorded between the 2 sensors.

<b>TOTAL NO OF VEHICLES at Shop count position</b>	
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	WEEK 1	WEEK 2
Monday	1767	1421
Tuesday	1856	1466
Wednesday	1879	1911
Thursday	1751	1561
Friday	1739	1413
Saturday	1285	1072
Sunday	1108	910



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<b>TOTAL NO OF VEHICLES at Cotswold View</b>	
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	WEEK 1	WEEK 2	Additional vehicles counted at Cotswold View:
Monday	1752	1941	493
Tuesday	1859	1998	532
Wednesday	1866	2117	206
Thursday	1841	2113	636
Friday	1836	2039	626
Saturday	1266	1404	332
Sunday	1098	1227	317

We have checked the numbers, which reconcile with the applicant's own tallies on the various pages of the survey spreadsheets. The numbers can be independently checked and verified by the officers and the planning committee by downloading the traffic survey documents from the applicant's documents on the CBC website:

<https://publicaccess.cheltenham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OS1G06ELI7M00>

During week 1 it is clear that there are approximately the same number of vehicles at each location on each day. The main anomaly has occurred in week 2. When comparing the vehicle numbers at both locations for the same days, the figures in red under the heading "additional vehicles counted" have apparently increased close to Cotswold View. As the maps included above clearly show, there are no turnings off the road between these two monitoring points, save for a few private driveways, yet, the traffic numbers on each day vary between these 2 points by as many as 636 vehicles in a day. The data submitted by the applicant to support his contention that the development of 3 number 3 bedroom dwellings therefore seems to be unreliable.

Clearly, the additional vehicles will slow the calculations of the 85th percentile of the average speeds and the calculation of the visibility splay requirements adjacent to the applicant's site. We raised the anomaly with Gloucestershire Highways planning liaison officer Wendy Gray, who replied:



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*“The speed survey was not requested by the Highway Authority, as the proposed development provided visibility splays in accordance with the GCC “Deemed to Satisfy Visibility Standards, which is based on local evidence from the Gloucestershire County Council (Annual Speed Monitoring Report 1998 to 2006) which indicates that the 85%ile speeds for 30mph highway is 34mph; as visibility splays can be provided in accordance with this guidance and the Variation of Condition will not affect the agreed access which provides adequate visibility splays in accordance with Manual for Gloucestershire Streets, I do not consider that the Highway Authority would require a further speed survey”.*

We do not agree Ms Gray’s view because this anomaly means that there are no means available to know what parts of the data is correct and what the actual average traffic speed might be, especially given the applicant’s own evidence of regular excessive speeding next to the property and close to the roundabout. Data from a traffic survey gathered between 1998 and 2006 is now between 14 to 20 years old and is simply not relevant to modern vehicles and the speeds that were actually recorded in the applicants own survey. Almost 25% of all traffic on the road is exceeding the 30mph speed limit by between a few to 30+ miles per hour.

Resident’s previous concern regarding the traffic safety of road users and the eventual occupants of these dwellings is greatly increased by the developer now seeking to add additional bedrooms without also providing the necessary 2.5 parking spaces per dwelling on the site (which effectively means 3 parking spaces per property for this site). That would alter the street scene still further and no submission is made by the applicant in that connection. If the occupants vehicles park on the road, because there is no room on the property (which is foreseeable), the visibility splays will be badly compromised and the previous concerns of the planning committee in respect of road safety for the proposed series of 4 bedroom properties do need to be raised again please. At the very least, the road survey should be repeated and independently verified before permission is granted.

It has been said by the officers that the ultimate owners of these properties may wish to pursue their rights under permitted development. To that end, although the developer does not provide dimensioned drawings, using the CBC website measuring tool, we calculate a floor area of 33m<sup>2</sup> for the detached dwelling attic development and 31m<sup>2</sup> for each of the semi-detached dwellings. Permitted development is applicable only to attic extensions of less than 50m<sup>3</sup>. Assuming an average room height of 2m for the living space created in the attic, that would exceed the 50m<sup>3</sup> limit by over 30%. As the applicant provides no cross-sections by which the volume created can be calculated, we respectfully suggest that he supplies a dimensioned drawing. By our calculation to comply with the 50m<sup>3</sup> limit, the average height of the room would need to be 1.515m or just under 5 foot high for permitted development considerations to be applicable to any future householder application.



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Notwithstanding, the future actions of a purchaser under permitted development rights (bearing in mind that these rights may be varied by government, or the borough council, in the future) , are completely speculative and totally remote from the actual considerations of this application which we suggest are:

1. Should this matter be determined by a variation application?
2. Should this application be determined by a full submission?
3. Would 3 number, 4 bedroom properties on this site, which is close to a road traffic roundabout (where excessive speeds are regularly and repeatedly being recorded) have been granted permission, bearing in mind that the parking provision does not comply with local plan second review table 16. Neither does it comply with paragraph 39 of the NPPF when consideration is given to the accessibility of the development, the type, use and nature of development, the availability of, and opportunity for sustainable transport, local car ownership levels and the need to reduce the use of high emission vehicles. Consideration should be given to the DCLG Residential Car Parking Research Document.
4. Whatever the actions of any future owner of the dwelling may be, is it right that LeGrand Developments receive financial reward for being able to sell 4 bedroom “executive” homes when the planning committee and officers only granted permission to build 3 bedroomed dwellings?

This amendment should be refused and the original 3 Bed approved application should be enforced.

Thank you for your consideration of our views,

The Reddings Residents' Association.