

<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.	

### **ADDITIONAL REPRESENTATION**

The Reddings Residents Association

**Comments:** 16th July 2018  
Letter attached.



# The Reddings Residents Association

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

Dear Councillors and persons concerned

18/01083/condit – Cotswold View, The Reddings, Cheltenham, GL51 6RY

We write in response to the applicant's letter dated 12 July 2018. On the same date, the Residents' Association received an email from LeGrand Developments suggesting a meeting (copy attached, with our reply, at appendix A). We find the tone of the email and the tone of the letter to be somewhat at odds with each other.

With regard to the relevant points raised by Mr LeGrand, we respond as follows:

- The roof has been constructed with bespoke structural trusses to create a clear space in the centre of the attic to be used for habitable purposes. This would impose different loading conditions on the building and would need to be accounted for at the outset of the design in the selection of the materials and the foundation loading. The creation of three storeys of habitable space would have required some adjustments to the approved ground and floor plans submitted for planning approval, and creates a need for fire compartmentation to provide safe fire escape route from the third floor. The applicant says the opportunity arose "during the early stages of procuring the construction phase". He is correct, the intention to make the space habitable is likely to have been known at the stage where Building Regulation application was made and before the foundation excavation commenced. **It is probable that the intention from the outset of detail design was always for the attic to contain a fourth Ensuite master bedroom and that the building was purposely designed accordingly. This could be checked by asking Building Control to comment as a consultee.**



Photograph of site with work just commencing to build the first floor walls. Advertising sign can be seen on fence to right of the pile of blocks. Note - no room available for onsite parking, contrary to construction plan.





# The Reddings Residents Association

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

- This application is not just for Velux windows, it is for the creation of a bedroom extension in the attic space. The applicant says he was “advised” to “regularise” (make retrospective application) whilst the erection of the specialist roof structure was in progress. However, this was some time after he had fixed an advertising sign to the site fencing advising of the intention to construct 3(no) four bedroomed executive houses, instead of the 3(no) three bedroomed dwellings for which permission had been granted by the planning committee. This application was only submitted following a complaint and the subsequent intervention of the Enforcement Officer and Ward Councillor. We note that the “for sale” sign has now been removed from site, but 4 bedroomed properties are still being advertised as such on the applicant’s website.
- Under current planning regulations, an owner of a property can exercise certain rights under permitted development. This includes the creation of a habitable room in the attic, providing that the gross volume does not exceed a volume of 50m<sup>3</sup>. The applicant’s drawings are not dimensioned and do not provide a cross-section in order to be able to calculate the area/volume. We have asked that he does so. However, using the plans submitted and the measurement tools provided on the planning website, the floor area on the detached property is approximately 33m<sup>2</sup> and that on the semi-detached properties is 31m<sup>2</sup>. For a future owner to have permitted development rights and stay below a volume of 50m, then, the average ceiling height would need to be less than 1.5m, or just under 5ft, in order to be less than the necessary 50m<sup>3</sup> volume.
- It seems unlikely that any new purchaser of a 3 bedroomed houses would immediately undertake an attic extension as “permitted development”. There would be considerable cost and disruption. It is at least likely they would sell and move to a new 4 bedroom house. Further, it is uncertain how long permitted development rights such as these may prevail. We therefore consider that the actions of a future purchaser are completely speculative and totally removed from the relevant considerations of this retrospective application.
- At the planning committee meeting on 19 July 2018, (the same meeting where this application will be considered) councillors will be asked to consider another application for two 4 bedroomed houses in The Reddings, only a short distance away from this development. In that application, the developer considers that four parking spaces per property are appropriate and the officers have not contested it. Highways preferred design manual for parking is the DCLG document. This requires 2 parking spaces and a garage for a 4 bedroom house.
- It is agreed that the roof lights have been installed. It is also noted that the roof covering has now been completed. Work to the interior of the property is now well in hand. The applicant’s note stating that the project is running 5 weeks ahead of schedule is not understood. If this application had been made earlier in the construction process, proper consideration could have been given and a bipolar choice between accepting what the applicant has built and enforcing the current permission would have been avoided. Similarly, if the project was ahead of schedule, work to the roof could have been suspended pending the proper determination of the planning committee on the retrospective application. If this application is permitted the developer will gain significant pecuniary advantage from these roof extensions.
- The developer has not previously sought to engage in consultation either with the Residents’ Association, the residents, or with the Ward Councillors prior to this complaint. The motives behind the offer to meet now are not fully understood in the light of the developer’s letter to the Councillors, but we are always ready to engage in constructive dialogue in respect of any developments that will complement the area by adding both amenity and prosperity to The Reddings. This is evidenced in our support for the construction of B1 offices in The Reddings area (adjacent to Asda) where we anticipate that it will be decided under delegated authority or placed before the planning committee in the very near future.



# The Reddings Residents Association

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

- Within our objection submission, we cite examples of two other developments undertaken by Le Grand Developments where similar retrospective applications have been made. Our objection also details anomalies with the road traffic surveys. At the heart of our concern is the safety of the buyers of these houses, other residents and road users, were this variation to be permitted and a deficit in parking results.

We hope we have demonstrated sufficiently that this application is not simply about the addition of roof lights, but in fact highlights the wider issue of a planning process that feels weighted in favour of the developer and always to the detriment of the community. This is contrary to the aims of the NPPF.

We thank you for your attention and look forward to the debate and learning your reasoned decisions at the hearing on Thursday 19 July 2018 when the Residents' Association will be speaking in opposition.

Yours Sincerely

The Committee  
The Reddings Residents' Association

## Appendix A

### Email received from Mr Le Grand (received 10:15pm 12/7/18)

Dear Members of the Reddings Residents Association and persons concerned,

Thank you for your comments and continued interest in our development at Cotswold View, The Reddings. We acknowledge that you have had and continue to have concerns regarding the development and its effects on the locality and we would welcome the opportunity to meet with representatives and members of your Association, the Ward Councillors and any other interested third parties. We would be delighted to attend your next Committee meeting. If you are able to accommodate us please confirm date, time and place. Alternatively I'm sure we can come to a mutually convenient arrangement. We look forward to hearing from you very soon and meeting in due course.

Kind regards

Mark Le Grand  
Property Development & Planning Consultant

### The Reddings Residents' Association email response to Mr Le Grand's email above (Sent 15 July 2018)

Dear Mr Le Grand

Thank you for your email.

We always welcome constructive dialogue regarding applications & would be pleased to meet with you and discuss any matters that are relevant. Committee members and councillors have been consulted over the past 3 days.

Unfortunately, your email arrived late on Thursday night (10-15 PM, 12/7/18) at a time when the committee are busy preparing speeches for this Thursday's planning committee meeting regarding this application and another in the area.

We have also noted your letter to the councillors of the same date, which does have a different tone to that which you use in this email. In the interest of balance, we have prepared a response, which has taken more of our available time.

Regrettably, our next committee meeting already has a very full agenda, some members will be on leave and we anticipate that another local application will come before the planning committee in August; it would not therefore be possible for us to meet at that meeting. Consequently, the next available committee meeting will be in October 2018.

If there are matters that you wish to discuss urgently, a special meeting of the 12 strong committee & the 2 councillors would need to be convened and that would take some time to organise with the summer holiday season now being upon us. If you believe that a special meeting would have positive outcomes for all, please would you forward a detailed written agenda & we will consult again?

Many thanks & kind regards

The Committee of The Reddings Residents' Association