

APPLICATION NO: 18/01403/FUL		OFFICER: Mr Joe Seymour
DATE REGISTERED: 13th July 2018		DATE OF EXPIRY : 7th September 2018
WARD: Charlton Kings		PARISH: CHARLK
APPLICANT:	Mr Scott	
LOCATION:	8 Horsefair Street, Charlton Kings, Cheltenham	
PROPOSAL:	Alterations and extensions including the creation of first floor accommodation	

ADDITIONAL REPRESENTATION

The following representation was omitted in error from the documents circulated on Wednesday 12th September. It was sent to the case officer on 21st August. The letters of objection referred to below (dated 25th July and 14th August) have already been circulated.

81 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DB

Comments: 21st August 2018 (added 13th September)

We refer to our letters of objection dated 25 July and 14 August.

In our first letter we pointed out that in the application the applicant states there is no tree within falling distance. This is clearly an error and an incorrect statement as there is a 15 m high tree within 5.5 m of the proposed building.

The Arboricultural Association, and the Borough Council's website ('Trees on development site' leaflet) clearly state that for any work requiring planning consent all trees which could be potentially affected by the development including those on adjoining property should be assessed by an arboricultural consultant in accordance with the BS5837:2012 recommendations.

According to our telephone conversation with the Tree Officer on 20 August, you have not authorised an inspection by the Tree Officer. We request that you do so, because it is clear that the Arboricultural Association's assessment has not been undertaken by the applicant.

We consider that the trees affected should be assessed in accordance with that advice before any decision on the application can be considered. We would like to affirm that assessment is not limited to TPO/ conservation area status and all trees, including those on adjoining properties, must be assessed. The Council has a statutory duty to protect all trees and they must be taken into account as a material consideration.

You made reference in our conversation on 20th August to the enlargement of the footplate of the proposed building at the rear as being within, 'permitted development'.

We wish to reiterate that the proposal is a redevelopment not an extension. It changes a bungalow to a two storey house and under permitted development it is our understanding that the maximum eaves and ridge height of an 'extension' is to be no higher than the existing house, and that extensions of more than one storey must be within 7 metres of any boundary opposite the rear wall. This application fails on both counts and as previously mentioned in former letters the

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enlargement of the existing bungalow is approx. 125% and the ridge height is increased by 2.5 metres. Reference to what might have been allowable under permitted development is therefore, as far as we can ascertain, not relevant.

This is clearly an application that would involve total re-development not merely extension/alteration. What might have been allowable under permitted development is of no consequence here. If this was a permitted development, planning permission would not be required.

Given the inaccuracies, mis-statements and errors in the planning application, proposed overdevelopment, intrusion in to privacy and loss of amenity of neighbours and apparent lack of concern regarding a 15 metre high tree in close proximity to the proposed development, (which was in existence before the existing bungalow was constructed) I would like to formally confirm it is my intention to address The Planning Committee at the meeting.

We feel we should also notify you, at this stage, of reserving our position about potentially challenging, under judicial review, a decision by the planning committee that permits the proposed development, in the event due process is not followed.

We also note our first letter has not been uploaded to documents associated with the application.

We look forward to hearing from you.