

Planning Committee

6.00 pm, 23 April 2015

Present at the meeting

Councillor Garth Barnes (Chair)	Councillor Colin Hay
Councillor Jacky Fletcher (Vice-Chair)	Councillor Adam Lillywhite
Councillor Andrew Chard	Councillor Helena McCloskey
Councillor Matt Babbage	Councillor Klara Sudbury
Councillor Diggory Seacome	Councillor Pat Thornton
Councillor Flo Clucas	Councillor Malcolm Stennett
Councillor Bernard Fisher	

Officers in attendance

Tracey Crews, Head of Planning (TC)
 Martin Chandler, Team Leader, Development Management (MJC)
 Michelle Payne, Planning Officer (MP)
 Chloe Smart, Planning Officer (CS)
 Karen Radford, Heritage and Conservation Manager (KR)
 Cheryl Lester, Legal Officer (CL)

121. Apologies

Councillors Baker and McKinlay.

122. Declarations of Interest

There were none.

123. Declarations of independent site visits

Councillor Colin Hay: 14/01823/FUL Land at Manor Farm
 Councillor Fisher: 14/02003/FUL Unit 3 Naunton Park Industrial Estate,
 14/01823/FUL Land at Manor Farm
 Councillor Clucas: 14/01823/FUL Land at Manor Farm

Members on Planning View: Councillors Babbage, Barnes, Chard, Lillywhite, McCloskey, Seacome, Stennett and Thornton.

124. Public Questions

There were none.

125. Minutes of last meeting

Resolved, that the minutes of the meeting held on 19th March 2015 be approved and signed as a correct record *without* corrections

126. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications

127. 14/02003/FUL Unit 3, Naunton Park Industrial Estate

Application Number:	14/02003/FUL
Location:	Unit 3 Naunton Park Industrial Estate, Churchill Road
Proposal:	Construction of 2no. B1 light industrial units following demolition of existing light industrial building (revised proposal following withdrawal of planning application ref. 14/00566/FUL)
View:	Yes
Officer Recommendation:	Permit with additional conditions in respect of mezzanine floors and the keeping of roller doors shut when not in use
Committee Decision:	Permit with additional conditions in respect of mezzanine floors and the keeping of roller doors shut when not in use
Letters of Rep:	18 Update Report: None

Officer introduction:

MP described the application as above, which was deferred last month for further discussion with the agent regarding a reduction in size of the proposal and work on the tree. As a result, the ridge height has been reduced from 5.8m to 5m, and the eaves height from 4.3m to 4m. A revised tree method statement has been submitted, which proposes no reduction in the height of the tree but the crown adjacent to the new building to be lifted. Officer recommendation is to permit.

Public Speaking:

Asked that Members take into consideration all previous neighbours' objections and comments on this application, which has been going on for over a year. Neighbours welcome the small reduction in overall height to 5m and gutter height to 4m, but the proposal will still be larger in volume than the previous building; its impact will be intrusive and neighbours will look out on a wall of metal cladding. If brick construction to the front could be conditioned, this would improve the appearance and sound insulation. Neighbours are concerned that the two 4m access doors increase the possibility that large vehicles could be driven into the building and operate from a site that is clearly not suitable; if these doors are left open during the working day, the noise could be intolerable. Neighbours welcome the restrictions on working hours as proposed, having suffered from noise disturbance in the past due to late working hours and weekend working. Hopes that similar restrictions will apply to any further development on the site, which is quite likely to take place. Noted at the previous meeting that Members were concerned about the ash tree, and suggested it should be replaced with a mature tree of equal stature should it be damaged during the construction process. Neighbours welcome this approach.

Member debate:

PT: following on from the speaker's comments, do the hours of operation as set in Condition 7 still stand i.e. 0800–1800 Monday to Friday, 0800-1300 Saturday, and not at all on Sunday and Bank Holidays?

KS: have Highways officers made any further representations? There were concerns at the last committee meeting regarding the height of the roller doors, clearly designed to accommodate larger vehicles on the site. Will these be soundproofed? Even with the doors closed, noise from the building will travel.

DS: following on from what the speaker has said, do we know if an extractor system will be in operation when the weather is hot so the doors don't have to be left open?

JF: regarding roller doors, when we've had this situation before on industrial units, we have added a condition to say they must be shut when not in use, even in summer, so no noise is emitted. Can we add that condition, to ensure the doors are shut at all times except for deliveries?

HM: soundproofing of doors was discussed in relation to 86 Cirencester Road for the same reason. Is it included in Condition 8?

CH: foresees a lot of problems with having to close doors unless they are being used. The business could be the kind which has multiple deliveries, and frequent openings and closings could be more intrusive. We don't know who will be using these units, and the suggested condition could cause more problems than it solves. Are there any other ways round it?

Regarding restricted hours on deliveries, large vehicles won't be able to get up and down the road so there is no need to be concerned about them. However, B1 use could mean a business dealing with food, and if the delivery van arrives before 8.00am, it might park outside with its engine running to keep its refrigeration unit going. How can this be addressed? B1 use could be anything, and some uses will be more problematic than others. Is comfortable with issue of insulation, though metal clad there will be insulation on the inside, as must be built to modern standards for heat and sound. We need to be wary about some of the suggested conditions.

MS: supports the concerns about potential noise – noted that back door of the building was open on Planning View, with music blaring out. We should take this issue extremely seriously, and if there are any conditions we can add to minimise the impact, we should be doing so. Suggests that the front elevation would look a lot better if it was brick-clad all along the side to fit in better with the surrounding houses. Is there any condition for that?

MP, in response:

- to PT, confirms that the hours of operation are as set out in Condition 7;
- to KS, there have been no further comments from Highways; they made their previous comments in the knowledge that the roller shutter doors were there are were happy with this;
- the agent has confirmed that cavity masonry will be used for added insulation, plus double-skin cladding for better sound insulation. The loading doors are also double-skin. Further details of insulation can be added by condition if Members think it necessary;
- to DS, there are no extractors at the moment, but this could be requested in future to limit the impact on amenity;
- to JF, what she suggests has been considered in the past but could have a knock-on effect later on as CH has pointed out;
- to CH's comments on conditions relating to deliveries and other activities, if the set hours don't work for the end users, they would apply for a variation of condition to allow earlier deliveries before commencement of work;
- to MS, re external appearance, the proposed building will look similar to the building at the entrance of the industrial estate. It is utilitarian, a standard design for an industrial unit.

PT: wants to reassure people: she lives close to local supermarkets and gets up early; today there was a huge wagon outside with its refrigeration unit going but she could barely hear it. Modern equipment is a lot better than it used to be.

CH: some vehicles need to keep their engines running to power the refrigeration units, especially smaller vehicles. Drivers would not technically be breaking a condition if they parked outside on the road and waited until 8.00 to make a delivery. Has seen this elsewhere and it can be a problem. Can it be conditioned against?

HM: returning to JF's comments, agrees with a condition to ensure that the doors are kept shut unless there is a delivery, even though we don't know who the occupiers of the units will be. If this condition is included but unworkable for future occupiers, they can always apply to have it removed.

KS: agrees with HM – this is a sensible way forward. Concerning the potential for adding a mezzanine floor, questions whether the overall height of the building is enough to accommodate this? If it is, can we add a condition that the users would have to apply for permission for this –or would it come under permitted development rights?

MP, in response:

- the condition relating to hours of delivery doesn't restrict vehicles from parking and leaving their engines running, and is not sure how we can do this. However, if this was to happen regularly, it would be in breach of the condition, as it is part of a delivery and outside the hours set;
- to HM, yes, future occupiers can apply to vary any condition at a later date;
- to KS regarding a possible mezzanine floor, permitted development rights for this could be removed to ensure an application is made.

JF: can we also add a condition that the roller doors are shut at all times except when deliveries are expected?

KS: would be happier if MP's suggestion for removal of PD rights was added – a mezzanine floor could double the floorspace, and thus the activity and the noise.

Would like to draw Members' attention to the minutes of the last meeting. There have been no substantial changes to the application since then, and is therefore shocked at the comments and questions tonight. Regarding the impact of the building, the height has been reduced by a fraction which is welcome but not enough. The proposal is directly next to people's houses and could be very intrusive, much more so than what has been on the site previously. Is disappointed that only minor changes have been made yet Members seem OK with the proposal now. This development in this location, close to people's homes, will cause noise, disruption and associated problems. It is a much bigger prospect than what was on site previously – two units in place of one, and this could be doubled in future.

There are conditions, but in order for these to be enforced, residents will have to go through hell and high water, and then probably fail to have them enforced. Has no confidence in this proposal, and is disappointed by questions asked so far tonight.

CH: has checked what was said last time. Was personally uncomfortable with the mass of the building, but notes that the height has now been reduced quite considerably, and the ridge height now proposed is a fraction lower. We don't have sufficient modern units across the town, and as this was an industrial unit before, feels quite comfortable with this proposal going ahead. The applicant has made changes to allay Members' fears and responded to their concerns, and preserving industrial estates is important for our town and economy.

GB: as ward councillor for the area, has sympathy with residents of any properties close to industrial units, and getting the two communities to work together can require the wisdom of Solomon. The residents were originally open to the idea of a new development, in context. The first proposal was much bigger than anticipated, and has been reduced in size during consultation. Understands the residents' views and concerns, but finds himself in a difficult position. The applicant has tried to provide a better building, and the residents are happy with some form of industrial unit on the site – it is just a question of what.

AC: had concerns about the tree last month, and is particularly pleased that these have now been covered. On Planning View, questioned how much of the lower part of the tree will need to be removed, and was reassured that this will be minor, thus removing his principle

objection to the scheme. The height of the building has also been reduced and it is set back from the houses. Shares GB's sympathy with the residents, but we shouldn't forget that this has been an industrial site for a long time. Is not sure why KS is so opposed to a mezzanine floor – if full-size lorries are going to need access, there will be no room for a mezzanine floor, other than round the edge of the unit for storage. Does not consider CH's concerns about engines running for refrigerated vans will necessarily be a problem, particularly as it isn't know who will be using the units yet. Is satisfied by what has been done since the last meeting. Wants to know if the additional conditions referred to will be included or need to be voted upon.

CL, in response:

- confirmed that officers have confirmed to her that they are happy to amend their recommendation and that it now includes the additional conditions in respect of both the keeping of the roller doors shut when not in use and the removal of permitted development rights in respect of mezzanine floors.

KS: asked for the condition to remove PD rights as expanding the property to two times its volume will significantly intensify industrial activity. Can speak from experience, knowing that a mezzanine floor can result in additional noise from extractor fans, and that an increase in space and hours of operation, maybe not now but quite possibly later, may well be wanted, depending on who the end user is. It is therefore sensible to include that condition.

Vote on officer recommendation to permit with additional conditions to remove permitted development rights in respect of mezzanine floors and the keeping of the roller doors shut when not in use

9 in support
3 in objection
1 abstention

PERMIT

128. 14/01125/FUL Tim Fry Land Rovers, King Alfred Way - DEFERRED

129. 14/01823/FUL Land at Manor Farm, Manor Road, Swindon Village

Application Number:	14/01823/FUL
Location:	Land at Manor Farm, Manor Road, Swindon Village
Proposal:	Erection of 2no. bungalows and 6no. houses
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Delegated Permit subject to a legal agreement
Letters of Rep:	19
Update Report:	Additional officer comments

Officer Introduction:

CS described the application for eight dwellings, as above, in the Swindon Village Conservation Area and adjacent to a GII* listed church. Members will note from the report and the lay-out that there have been suggestions that the adjoining parcel of land should be transferred to the Church, but this is outside the application site. Officers feel such a legal agreement is not needed at this stage. The existing access to the site is via Church Road, an unclassified road. Officers have worked closely with Highways officers, whose original objections to the scheme have now been dealt with through amendments and now support the proposal. The scale, layout and design all fit comfortably within the conservation area. The application is at Committee at the request of Councillor Fisher, and due to a lengthy

objection from the Parish Council concerning the impact on the conservation area, highway matters, and the listed church.

Public Speaking:

Mr Hunter, local resident, in objection

Is opposed to the application for many reasons, but primarily because the proposed site access is problematical, through a narrow lane and destructive to the conservation area. The proper access to this site is through Manor Court, already designed in and shown on the drawings – this access was referred to in the original Manor Court development, for exactly this eventuality. The access point at Manor Court is already prepared and would negate the need to use a narrow lane inside the conservation area – it is large, wide and outside the conservation area. If the application is rejected, the applicant can re-draw the access by way Manor Court and reapply. This will avoid encroachment in the conservation area; be vastly safer for vehicles and pedestrians who would not have to share this narrow road with cars and trucks; allow the existing lane to remain an attractive example of what the conservation area is there to protect; remove the need for the verges to be ripped up – they have been there for generations and cared for by neighbours; remove the need to obstruct the public footpath; remove all the issues that are shown in the traffic sweeps in and out of the narrow lane, which appear to be a desperate attempt to make it fit no matter what. To summarise, this application should be refused because the applicant has refused to use the correct access which is readily available at Manor Court. If this change was made, all reasons for objection would be removed and the conservation area would remain untouched.

Mr Bower, agent for applicant, in support

From the 1950s until two years ago, the site formed part of a small farm which sold eggs to local people, and was also used for caravan storage. Lorries made regular deliveries, and this was a busy farmyard and access road. These uses are no longer compatible with the village location, and the brownfield land not suitable to be returned to agricultural use. If left, it will become a wasteland of brambles and litter, not the rural idyll some objectors have suggested. Over the last 5-10 years, the family has had many approaches from developers looking to build far more houses than what is proposed in this application, and have therefore funded this application themselves to ensure that it is sensibly sized, and makes efficient use of the site to balance density and design and leave a pleasant area for families to live, with a feeling of space for a small community. Fewer houses would have left the developer open to challenge as being below government guidelines for density and efficient use of land. There is a comprehensive landscaping scheme – shrubs and trees for screening and boundaries, which will also provide wildlife corridors around the site. The conservation officer has supported the scheme from the start, and English Heritage withdrew its objection after reviewing the scheme in detail. The developers have had protracted liaison with the highways department, and they are satisfied that access arrangements meets their requirements, and that refuse and emergency vehicles have relevant space within the site. This is an appropriately-sized scheme for the land and will form a small but pleasant addition to the village on a brownfield pocket of land

Member debate:

PT: a lot of objections are based on highways issues and access to the site. Can Officers show the Manor Court entrance on the screen and offer any information as to whether or not this is usable? Is concerned as Highways Officers have withdrawn their objection but neighbours are not happy.

CS, in response:

- the access road via Manor Court isn't in the applicant's ownership and therefore beyond his control – it is a 'ransom strip' – but the proposed access via Church Road is acceptable to Highways Officers who consider it suitable.

BF: if the proposal is permitted, can we add a condition about badgers – there is a large and very active colony on the site, which probably took up residence there when the church

wall was underpinned. If they move into people's gardens, it will cost the residents a lot of money to move them on again – they are wild, obstinate and go where they like, wreaking havoc in gardens. It cost the Diocese a lot to repair the damage they had done.

FC: notes the comments on Page 162 of the report from English Heritage – who are used to considering applications in conservation areas and for listed buildings – acknowledging that the passing of the parcel of land to the south of the church will provide a long term visual buffer for the setting of the church, and that this is *critical* that its transfer should be legally tied to the granting of planning permission. The officer goes on to say at Paragraph 1.4.4 that although this land is in the applicant's ownership, it is outside the application site and is therefore not being considered at this time. Finds this odd. Officers say that any future application on this site would need to be considered on its own merits. How can they dismiss what English Heritage has described as 'critical' to the granting of planning permission by saying it isn't part of this application so we can forget it?

CS, in response:

- to BF's question, the applicant has submitted an ecological survey, approved by the County ecologist, and officers are satisfied with the mitigation measures proposed and incorporated in the conditions. The displacement of the badgers will be to land within the applicant's ownership, and Members can be confident that the badgers will be accommodated;
- to FC, officers noted the comments from English Heritage, but this application leaves that land undeveloped as a visual buffer between the development site and the church, and any proposal in the future would need to be assessed on its own merits. Officers consider leaving the land undeveloped through this application to be acceptable.

FC: Officers seem to be saying that the applicant has said this piece of land is not going to be developed, so English Heritage remarks can be ignored. If that is the case, would like to add a condition that that the land adjacent to the church will be protected against any forthcoming application. Wants to ensure that English Heritage suggestions can be done and considered.

HM: agrees with FC. It is all very well to say the land is not part of the application site, but if another application comes through, we would need material planning reasons to refuse it, and is not sure what those could be.

AL: notes the access via Manor Court Road – is there any possibility of gaining access that way? There would be a lot of benefits in this, it would offer more separation from the parcel of land between the church and the development site, and cars wouldn't have to come through the village. The development looks good – it is not over-development – and this alternative access would greatly enhance it.

HM: has sympathy with this view but the only way to make Manor Court Road the only access is to stop up the existing track to Swindon Village – if it is left, the new residents will have a choice and will use the track.

AC: agrees – was about to say the same.

CS, in response:

- to FC, regarding the land adjacent to the church, officers haven't ignored English Heritage comments – the land is intended to be kept as a buffer. A legal agreement to make sure it remains available only to the church can't be done, but an agreement to ensure it remains undeveloped is a possibility;
- regarding access, as mentioned previously, the Manor Court access road is a ransom strip and not deliverable. Highways officers don't object to the proposed access through the adopted public road; it is not ideal but is adequate.

MJC, in response:

- regarding the suggested legal agreement, would like to reiterate that Officers have not dismissed English Heritage's comments. The separation between the church and the development site is important, but at this stage no legal agreement is needed to deliver that buffer of land – the development does this anyway. Legal agreements are used to make unacceptable developments acceptable, and this one is already acceptable, without any legal agreement. Members will remember a similar situation at Balcarras Road, where the legal agreement was subsequently lifted;
- can see why FC wants an agreement of that nature but this is a false way of considering it. Should put faith in the planning system to control future use of the land. Any future application would have to take account of English Heritage's opinion that development here would compromise the setting of the listed church; a legal agreement is not necessary.

CH: we are part way through the local plan. Can it be referenced there? Can the Committee make a recommendation that it be included? Then any future planning application would be referred to the local plan, and the buffer could be enforced.

FC: there are three points to look at. (1) the suggestion of a legal agreement by English Heritage would make an otherwise unacceptable planning application acceptable; without it, this is not an acceptable planning application; (2) Officers are saying they will take English Heritage advice in the future, so why not now?; (3) Officers are arguing that a legal agreement isn't needed, but they cannot anticipate how things will go in the future – this is the conservation area, an important 12th-century church, a tourist attraction, people live around; the Cheltenham Plan is in draft form – can anything go into that to protect it? It is all about weighing doubt against certainty – doubt that any proposed development on the land might not get planning permission against the certainty that the land cannot be built on. Continues to recommend a legal agreement should go ahead.

GB: is this a formal move to make the application subject to a legal agreement?

FC: yes.

CH: the proposal should still be refused whether a legal agreement is added or not, legal agreements can be varied, but a local plan policy would give further protection and provide clear evidence of planning policy that can be referred to.

BF: supports FC – this application should be supported by a legal agreement, which will make the situation clear in the future. Members have talked many times about legal agreements – some are in perpetuity, but this depends on how they are drawn up and how they are agreed. If we're serious, it should be a legal agreement to protect the church. This land is in the middle of Swindon Village Conservation Area, and is not a brownfield site – it has not been built on in living memory – and very close to the church, which is one of the oldest buildings in the borough. This piece of land must be protected very strongly.

PT: what is so difficult about a legal agreement? Is it particularly onerous? Why is this not fine with Officers?

HM: the Heritage and Conservation Officer's opinion would be welcome here – she has commented in the report that the land has been set aside for a graveyard extension and new trees will provide visual separation between the church and the new development.

CS, in response:

- to FC and BF, officers agree with English Heritage's comments on the value of the land, but don't feel a legal agreement is needed. However, if Members feel they would like a legal agreement included as part of the resolution, this can be done.

KR, in response:

- the parcel of land is essential for the setting of the church – cannot stress this enough – and should be left as an open space for landscaping. Is otherwise comfortable with the scheme, which is in keeping with the settlement pattern of the village – not too dense, over-developed or inappropriate, so will not cause any disturbance. Agrees that the setting of the church and this piece of land are critical.

GB: suggests members vote on FC's amendment to add a legal agreement to the recommendation.

AC: asks if the vote will be on the application as a whole

CL, in response:

- to clarify, the motion to be voted on would be effectively to amend the substantive motion to a delegated permit subject to the completion of a s106 agreement and it is the amendment motion which is going to be voted on first.

BF: the legal agreement needs to be added to the recommendation, otherwise the outcome will not be what Members are seeking.

MJC, in response:

- understands what Members want to do; officers will have to go back to the applicant to decide on the wording for the legal agreement. It could state that there can be no development on the site, or that there can be limited development which only the church can deliver. To say no development at all is easier, but there is the issue of its proximity to the church and being used as a potential graveyard extension.

FC: we need a legal agreement with this application. It should state that there can be no further applications on this site. This should be a condition of planning consent – no planning consent should be sought for any further development of this site.

MJC, in response:

- to clarify, the legal agreement will relate to the land shaded purple only;
- the agreement should state 'no development' not 'no applications'.

FC: this is acceptable, but if the land is disposed of in the future, it should still be protected.

MS: the legal agreement should state that 'before building work starts, the freehold of the land will be transferred to the church'.

MJC, in response:

- the church might not want the land;
- if Members delegate the decision back to Officers, they can create a form of words for the legal agreement, to be agreed with the Chair and Vice-Chair, to ensure the parcel of land won't be developed in perpetuity, and this will be carried over if ownership of the land is transferred.

FC: confirms agreement with this approach

AL: if no development is allowed on the parcel of land, what will happen to it? It would be preferable if it was transferred to the church for use as a graveyard extension.

MB: if the land shaded purple on the drawings was in third party ownership, we would not be having this discussion. Would have to vote against the scheme if the parcel of land was not kept separate.

GB: there are two separate issues being discussed here: the vote on FC's motion to add a legal agreement, and the vote on the application itself.

AC: when Members asked, if they vote on FC's motion, whether they would be approving or discussing the application in full, the legal officer said they will be.

CL, in response:

- the motion by FC is to amend the substantive motion from permit to a delegated permit subject to a legal agreement;
- that motion may or may not be carried;
- either way the substantive motion itself will still then need to be voted upon.

KS: how much weight can be placed on a legal agreement? Should this not be done through the planning process – as part of the Cheltenham Plan? A legal agreement might not be worth the paper it's written on. Have always been told that covenants are not planning matters.

CL, in response:

- land covenants are generally private matters and not part of the planning process, but an S106 agreement is a planning matter, provided for under planning legislation. , They are typically made to be binding on successors in title. The legislation provides that obligations in an s106 agreement should only be taken into account where they are necessary to make the development acceptable.

AC: if the land is transferred to the church, would the church need planning permission to turn it into a graveyard? Would a legal agreement scupper that?

MJC, in response:

- it would be harder to deliver, there would need to be a variation to the legal agreement and planning permission for change of use. This was alluded to earlier – the condition could state 'no development unless for a graveyard extension'. This was the ultimate officer advice and if included, the reason why officers do not consider a legal agreement to be necessary – any proposal would be considered through the planning process.

Vote on FC's amendment to make the substantive motion a delegated permit subject to a legal agreement providing that the "purple land" will not be built on, with the exact wording within the agreement to be formed in consultation with the Chair and Vice-Chair.

8 in support

2 in objection

3 abstentions

Amendment Motion carried

BF: the original report stated that the proposal fits in well with the settlement pattern of the existing village, would not have a harmful impact on the conservation area or setting of the church. Would not disagree with any of this – has no objection to the development on these grounds, but objects to the officer comment that the proposal is in accordance with Policy CP7. Members spent a lot of time last month discussing whether a development was a high enough standard of architectural design and complementary and respectful to neighbouring development. The dwellings proposed here are not bungalows – they are chalet houses, 1m higher than the bungalows in Manor Court. The houses are town houses – and this is a village. The design has no architectural value. The addition of Velux windows is contrary to Policy CP4. CP7 requires a high standard of design – this is not. This site can be developed with quality building, but should be of a better design. The monopitch roofs of the bungalow would lead to problems of overlooking. Transport problems have been raised, including vehicles turning on the shared surface, and access for refuse vehicles. The shared space is already tight, and refuse vehicles are likely to get bigger. According the Highways officers, there will be room for a car and a refuse vehicle to pass on the road, but it will be very tight. There are anomalies in the highways report, including an accident that was never logged, a traffic census which omitted buses, and flawed data. To conclude, this proposal is not in

keeping with CP7 – not of high architectural value, doesn't complement the village or conservation area, and lowers the standard of the area. Wants to see the land developed but not like this.

AC: agrees with BF, but of the view the application can't be turned down because the architecture is mundane. This was an opportunity for a fantastic design but what has been presented are boring boxes. Is also concerned about the lane, and with Ubico vans and mothers with prams, it could be dangerous.

Vote on amended substantive motion

8 in support
3 in objection
2 abstentions

DELEGATED PERMIT SUBJECT TO A LEGAL AGREEMENT

130. 14/02152/FUL 113 Church Road, Leckhampton

Application Number:	14/02152/FUL
Location:	113 Church Road, Leckhampton, Cheltenham
Proposal:	Proposed construction of new integral garage with bedroom above and single storey link (following demolition of existing conservatory and detached single garage)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	0
Update Report:	None

Officer Introduction:

CS told Members that this property is a locally-indexed building, and described the proposal as above. It is at Committee because the applicant is a Director of the Council, and due to objections from the Parish Council. The recommendation is to approve, subject to conditions.

Public Speaking:

None.

Member debate:

KS: has looked at the planning history of this site, and notes a previous application to demolish the house and build three detached dwellings in its place. Is concerned that the authority has said no in the past to this level of development, and yet here is creating a self-contained unit ancillary to the house.

CS, in response:

- the applications for three separate dwellings were quite different; this is for an extension to an existing dwelling, subservient and in keeping with the character of the house. Officers consider it to be a straightforward householder application for an extension, and are happy with it.

Vote on officer recommendation to permit

12 in support
1 in objection
0 abstentions

PERMIT

131. 15/00366/FUL 7 Keynsham Road

Application Number:	15/00366/FUL
Location:	7 Keynsham Road Cheltenham Gloucestershire
Proposal:	Erection of part single storey/part two storey side/rear extension, and rear dormer in connection with loft conversion, following demolition of existing garage (revised scheme)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	1
Update Report:	None

Officer Introduction:

MP introduced this householder application, which is very similar to one at the same property which the Committee considered in February. The scheme has been revised on design grounds, and the applicant has come back with the original design, with dormer windows. Officers consider it regrettable that their previous recommendations have not been taken in, but feel that the proposal is acceptable, on balance.

Public Speaking:

None.

Member debate:

KS: if officers felt there were previous problems on design grounds, why do they now consider them OK?

MP, in response:

- officers always seek provisions to improve a scheme, but if the applicant chooses not to make revisions officers then still have to consider the scheme, on balance, consider the scheme to be acceptable.

PT: the extension looks higher than what was there before.

KS: when this application was at Committee in February, said that these types of application are always very difficult. There will be impact on the neighbouring property; beauty is in the eye of the beholder, but it will mean a significant change for the neighbours, who will find looking at a two-storey brick wall at the bottom of their garden difficult. Understands why the applicant wants to make improvements, but this has to be weighed against the impact on the conservation area. Officers say they have made an on-balance recommendation, but the design which is already approved is better – the extra storey will be difficult. Cannot support the proposal – it isn't right in this location.

Vote on officer recommendation to permit

11 in support

2 in objection

0 abstentions

PERMIT

132. Any other items the Chairman determines urgent and requires a decision

There were none.

Chairman

The meeting concluded at 7.40pm.