

## Planning Committee

6.00 pm, 24 March 2016

### Present at the meeting

Councillor Garth Barnes (Chair)	Councillor Helena McCloskey
Councillor Jacky Fletcher (Vice-Chair)	Councillor Andrew McKinlay
Councillor Paul Baker	Councillor Klara Sudbury
Councillor Andrew Chard	Councillor Pat Thornton
Councillor Diggory Seacome	Councillor Louis Savage
Councillor Bernard Fisher	Councillor Malcolm Stennett
Councillor Colin Hay	Councillor Simon Wheeler
Councillor Adam Lillywhite	

**Present as an observer:** Councillor Rowena Hay

### Officers in attendance

Martin Chandler, Team Leader, Development Management (MC)  
Michelle Payne, Planning Officer (MP)  
Lorna McShane, Legal Officer (LM)

Present as an observer: Nick Jonathan, Legal Officer

### 278. Apologies

There were none.

### 279. Declarations of Interest

There were none.

### 280. Declarations of independent site visits

There were none.

### 281. Public Questions

There were none.

### 282. Minutes of last meeting

Resolved, that the minutes of the meeting held on 18<sup>th</sup> February 2016 be approved and signed as a correct record *with the following correction*, made by Councillor Stennett:

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~~**MS:** ...both MS and Councillor Payne have asked for a committee decision, as they want to understand what exactly is being proposed for the site and what has changed since the outline stage. They want the opportunity to look at this before it is permitted, but are being told by officers that this is not necessary.~~

To be replaced with:

**MS:** ‘...Councillor Stennett and Councillor Payne have asked for a committee decision as they want the opportunity for residents to look at the application before it is

*permitted, but have been told by officers, supported by the Chair, Vice-Chair, and Councillor McKinlay, that this is not necessary.'*

**283. Planning/Listed Building/Conservation Area Consent/Advertisement Applications, Applications for Lawful Development Certificate and Tree related applications – see Main Schedule**

**284. 16/00071/FUL 166 Cirencester Road**

Application Number:	<b>16/00071/FUL</b>
Location:	<b>166 Cirencester Road, Cheltenham</b>
Proposal:	<b>Proposed two storey side extension and refurbishment</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>1</b>
Update Report:	<b>None</b>

**MP** introduced the application as above. It is at Planning Committee following an objection from the Parish Council, which considers that the extension will have an overbearing effect on the neighbouring property. The officer recommendation is to permit.

**Public Speaking:**

**Mr David Trendle, applicant, in support**

Thanked planning officers for their support of his clear intention to create a family home from a run-down house purchased a year ago, through careful and sensitive refurbishment and modernisation. Engaged with planning officers and neighbours from the start, and took advice to ensure a good design. The proposed extension is subservient, stepped back from the main dwelling, and fits well in the street scene without harming the amenity of the neighbours. It is situated 5m from the neighbour's boundary, and 19m and 13m in from the boundaries to the west and east – much reduced in size from the first application. There are to be no windows or doors on the neighbour's side, and additional screening for privacy and seclusion is a priority and can be assured. Will take any preference of the neighbours into consideration for this.

**Member debate:**

**PB:** this is a superb scheme, a clever, high-quality design and a huge improvement on what is currently there. It is fantastic to see this property coming into use as a family home, and fully supports the proposal.

**MS:** agrees – this is a planning gain. It will improve the street scene, a sensitive modernisation, and the improved house will not be incongruous in the area. We should be appreciative of this proposal.

**Vote on officer recommendation to permit**

14 in support – unanimous

**PERMIT**

**285. 16/00086/COU 4 Albert Street**

Application Number:	<b>16/00086/COU</b>
Location:	<b>4 Albert Street, Cheltenham</b>

Proposal:	<b>Change of use from a residential 2/3 bed property into a 7-person House in Multiple Occupation (HMO) (retrospective)</b>
View:	<b>Yes</b>
Officer Recommendation:	<b>Permit</b>
Committee Decision:	<b>Permit</b>
Letters of Rep:	<b>6</b>
Update Report:	<b>None</b>

**MJC** introduced this retrospective application for an HMO for seven people, explaining that planning permission is needed for conversion of a house to an HMO for more than six people – conversion for up to six people comes under permitted development. It is at Committee at the request of Councillor Walklett amid concerns in St Paul's about the proliferation of HMOs. The recommendation is to grant planning permission.

#### **Public Speaking:**

None.

#### **Member debate:**

**JF:** received an email from St Paul's residents this morning, concerned about the proliferation of HMOs in their area. This is a real concern, and the council needs a meeting to discuss the way forward. Asks that this be taken on for further discussion between officers and all councillors.

**PB:** supports the application but agrees with JF. Was previously a councillor for St Paul's, and can see that the ward has now changed beyond all measure. CBC needs to look at what it can do to prevent the gradual degradation of the area. Other college towns have the same problem, as do other parts of Cheltenham.

**PT:** agrees with what has been said so far, and faces similar issues in St Peter's, with some streets practically at war over car parking. Is there any legislation in planning to say only a certain number of HMOs can be created in an area, and further applications have to be turned down?

**HM:** has similar concerns about the number of HMOs in the town, but is also worried about the adequacy of accommodation for the people living in them. There are A4 directives CBC can adopt, and suggests the Planning and Liaison Member Working Group looks at this when looking at the Local Plan.

**MS:** supports the application, and agrees that the time to discuss this issue is when developing the Local Plan – there is a problem in St Paul's, St Peter's and elsewhere. New policies will help the Planning Committee in their decision-making.

**BF:** is concerned about the number of people living in a single dwelling in the event of emergencies. With the loft converted to a bedroom, it could be hard to get everyone out in the event of a fire. Realises this is a retrospective application, but what about fire regulations? How many people can live safely in an area this size?

**SW:** has the same concerns as other speakers, but is also taking a different angle. Students need somewhere to live. Having seen the property, wonders how it can accommodate seven people; we need to look at the quality of HMOs for everyone, including students. Supports BF's concerns about fire regulations, his own son having had a lucky escape from a fire in a student house, and would like to be sure that this will be followed through.

**KS:** it is disappointing when everyone is so concerned about this application that there is no way to consider turning it down. There are two main issues here: is the application suitable and the number of people to be living in this house appropriate? And the effect of the ever-increasing number of HMOs on the area. Grew up in St Paul's in the 1970s and '80s, at a

time when everyone owned their property; it was a good area for the less well-off, and for people starting out on the property ladder. Now that 50% of the houses are HMOs, young families don't want to live there, and this is having an impact on the cohesion of the area. Cannot support this application. Students need somewhere to live but this proposal is not good for the area, including potential parking issues. The council needs to be more proactive and to form policies to control this. The new student accommodation at Pittville will help, but converting these two-bedroomed houses into accommodation for seven people is not good – students deserve better. Wishes we could turn the application down.

**AL:** is surprised at the number and size of the rooms. Is there no minimum room size to apply here? These rooms should comply with the minimum standard.

**[Councillor McKinlay arrived at the meeting at this point.]**

**MJC, in response:**

- took the first point of concern – the number of HMOs in the area – away after Planning View, and has been informed that this issue has already been raised in a paper to Planning and Liaison Member Working Group. It is an ongoing issue, with Councillors Walklett and Jeffries, and discussions will continue to take place;
- Planning Committee cannot fix the issue through one application, which must be determined on its own merits, and in this case, the application is only at Planning Committee because it includes one additional tenant over the six that are allowed without planning permission under permitted development. Members must ask themselves what harm one additional tenant will cause;
- agrees that there is a bigger issue here and a more comprehensive view needs to be taken, but for the purpose of this particular application, officers do not feel there are any valid grounds to refuse;
- to BF, HMOs need to be licensed before they can be let out; in this case, a license already exists for this property, and it is therefore compliant with regulations;
- to AL, regarding the minimum standards for room size etc, there aren't any at the moment. The government recently introduced guidelines, and these will be part of the new Cheltenham Plan for future applications to be used in cases such as this, but not at present.

**PB:** for clarification, what stage are we at with the review of HMOs? A paper was presented to Planning and Liaison Member Working Group in December, but nothing else appears to have happened and it's now March. A note for Planning Committee about where it is and where it is going would be useful.

**MJC, in response:**

- the notes of the Planning and Liaison Member Working Group can be circulated. Members need to speak between themselves to get momentum on this issue.

**Vote on officer recommendation to permit**

11 in support

2 in objection

2 abstentions

**PERMIT**

**286. 16/00161/FUL Wallace House, Buttermere Close**

Application Number: **16/00161/FUL**

Location: **Wallace House, Buttermere Close, Hatherley**

Proposal: **Installation of mobility scooter store (1.8m deep x 7.3m wide x 2.1m high) to**

**provide 6no. individual secure compartments with charging points and erection of fencing**

View: **Yes**

Officer Recommendation: **Permit**

Committee Decision: **Permit**

Letters of Rep: **0** Update Report: **None**

**MP** introduced the application, similar to those considered at the last two meetings, for mobile scooter stores at Cheltenham Borough Homes-owned properties, and at Committee because the applicant and the owner is Cheltenham Borough Council.

**Public Speaking:**

None.

**Member debate:**

**CH:** raised the issue about providing facilities to charge mobility scooters when he was a member of CBH. Without proper stores, they had to be charged in corridors, creating a fire risk, as well as a health and safety risk with trailing cables. These proposals are an excellent idea for the tenants, and will improve their lives – is very pleased to see them introduced. It's a shame that they can't be more attractive structures and less utilitarian, but they work, and that is the main consideration.

**GB:** CBH is doing a very good job updating properties round the town; this scheme forms part of that work and is a positive way forward. There has been some discussion about why straightforward applications such as this have to come to Committee.

**MJC, in response:**

- Planning Committee has considered a lot of these applications over the last few months, with CBH upgrading its housing stock. The relationship between CBC and CBH requires that they come to Committee, but has today taken legal advice on whether this is necessary, as the work undertaken falls under permitted development rights. Legal officers agree, and it will save time for everyone if these types of works are not referred to Planning Committee.

**Vote on officer recommendation to permit**

14 in support – unanimous

**PERMIT**

**The meeting ended at 6.25pm.**

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

The meeting concluded at Time Not Specified