

Planning Committee

6.00 pm, 29 June 2016

Present at the meeting

Councillor Garth Barnes (Chair)	Councillor Helena McCloskey
Councillor Bernard Fisher (Vice-Chair)	Councillor Chris Nelson
Councillor Paul Baker	Councillor Tony Oliver
Councillor Mike Collins	Councillor Louis Savage
Councillor Colin Hay	Councillor Diggory Seacome
Councillor Karl Hobley	Councillor Pat Thornton
Councillor Adam Lillywhite	Councillor Simon Wheeler

Officers in attendance

Tracey Crews, Director of Planning (TC)
 Martin Chandler, Team Leader, Development Management (MC)
 Craig Hemphill, Principal Planning Officer (CH)
 Chloe Smart, Planning Officer (CS)
 Lorna McShane, Legal Officer (LM)

1. Apologies

Councillor Sudbury.

2. Declarations of Interest

16/00905/FUL Pipers Wold, 22 Greatfield Drive

Councillor Thornton – knows the applicant – will abstain from the vote.

3. Declarations of independent site visits

16/00905/FUL Pipers Wold, 22 Greatfield Drive

Councillor Baker

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 26th May 2016 be approved and signed as a correct record *without* corrections.

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

Application Number:	16/00454/FUL
Location:	Land at Corner of Swindon Road
Proposal:	Erection of new single-storey building with associated service yard, car parking, landscaping and improvements to the existing access for Class B2 (general industry) and/or B8 (storage and distribution) (to include ancillary trade and retail counter, ancillary showroom, ancillary offices) and/or the following specific sui generis uses: <ul style="list-style-type: none"> - storage, distribution and sale of ceramic wall and floor tiles, hard floor and wall finishes, tiling equipment and associated products - bathroom and kitchen furniture and fittings and other building materials - machinery, tool and plant hire - auto centres involving motor vehicle servicing, mechanical repairs plus the fitting and associated sale of tyres and car parts and MOT testing - plumbers and builders merchant
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	0
Update Report:	None

6. 16/00454/FUL Land at corner of Swindon Road

MJC introduced the application as above, explaining that officers are prepared to accept the flexibility of use to mimic the other uses on the surrounding industrial/retail estate. The application is at Committee due to parish council objections and at the request of Councillor Fisher. The recommendation is to permit

Public Speaking:

Mr Alan McCabrey, agent, in support

Is speaking for Mason Owen, the managing agents for the applicants. Rex Developments is a family-owned business, which has specialised in business parks since 1999, always maintaining a good relationship with their tenants and neighbouring landowners. They acquired this site from RBS in 2014, following a previous outline planning application which was refused, predominantly on car parking grounds. Rex Developments have tackled the issue, and to date have demolished the old and outdated warehouse to the rear of the gym; relocated car parking for the gym to provide 35 further spaces; renegotiated the lease for Topps Tiles for a longer term, guaranteeing jobs for a long time to come; entered into a legal agreement with Simply Gym to vary the lease giving the ability to move car parking spaces under that lease; added white lines and dedicated walkways, in addition to lighting for Topps Tiles and Simply Gym. All this work has been carried out for the tenants, and further discussions with Simply Gym are ongoing. A legally binding agreement with Halfords will be followed by completion of the works, providing new life for a redundant site, a number of new jobs, and making redevelopment of this site better for customers, tenants and Cheltenham as a whole.

Member debate:

BF: has no objection to this site being developed but is concerned about the loss of the informal walkway. If it goes, people will have to cross Swindon Road, Kingsditch Lane, Runnings Road and Wymans Lane – it is one of the busiest junctions in Cheltenham, currently with no pedestrian lights or crossings, although there are islands in the middle for some of them. The Vibixa site on the opposite corner will be redeveloped at some point, adding to the problem. Would like to see some additional conditions. First, that all staff parking must be on site as there is nowhere else to go, with car parking lost on the Kingsditch Estate. Second, that if the site is to be used as a motor dealer, all delivery of goods must be on the site; in Manor Road, car transporters can block the highways for three or four hours at a time when making deliveries. This is a very busy junction, and is likely to get busier with the expansion of Spirax. Is pleased to see the area becoming more vibrant, but wants to be sure people won't suffer as a consequence. Regarding the walkways, realises that people will cross the roads at their own risk and conditions cannot control this; has talked to Gloucestershire Highways and understands that the developer cannot be

asked to make any contribution to pedestrian safety measures, but restrictions on loading and unloading will help.

HM: reiterates BF's comments about the loss of the walkway and verge. Highways say this is OK but people do what they think and not necessarily what is safest, as at St James's Street where barriers were put up for pedestrian safety but people just dodged round them to cross the road and they have now been removed. Supports BF, and suggests talking to Highways and the Parish Council to see if any local money can be put forward to improve pedestrian safety here.

MC: also agrees with BF. If this site is likely to be used as an auto centre, it will lead to problems along Swindon Road when unloading. Notes that the Parish Council objection refers to the loss of the longstanding pedestrian footway. People will use desire lines through the site or on the verge. Gloucestershire Highways solution is not adequate – something needs to be done for pedestrian safety on these busy roads. Most of the other objections from the Parish Council would be dealt with in any future application but supports BF's suggested conditions on this current application.

PT: one hundred per cent supports BF. It's obvious to see how the pedestrian route tails off to a spike with muddy grass verge beyond; something needs to be done about it.

MJC, in response:

- just one quick point of clarification, a car showroom on this site in the future would need planning permission in its own right; this may negate the need for a condition regarding loading and unloading of vehicles in relation to the *sui generis* uses being considered in the current planning application; does BF want a loading/unloading condition attached to relate to any use of the site or is it just cars that he is concerned about?
- regarding staff car parking on site, this would not be an enforceable condition were it to be included – anyone can park on the public highway. Staff may struggle to find parking spaces, but yellow lines will prevent them from parking in unsafe places. This is not therefore a reasonable condition to attach;
- regarding the footpath, BF is entirely right but the applicant shouldn't be punished for the fact that the footpath tails out and leads nowhere. It is right that the highways department needs to engage with the parish to find alternate ways to solve this problem.

BF: the speaker said the end user is likely to be Halfords Auto Centre – this will mean broken-down cars being brought in, delivery of tyres etc. Regarding staff parking, something needs to be done to ensure staff have somewhere to park on site. HA Fox has told staff to move out of their car parks to make way for customers and as a result, staff park in residential streets in the area. Staff should be able to park on the site.

PB: congratulates the applicant on this scheme to tidy up an eyesore area of the town, and provide additional employment on this prime site at the same time. Are there any planning requirements for staff car parking to be provided?

CH: was going to ask the same question, and also what is the difference between saying that staff *have* to use the car park and simply having a number of spaces allocated for staff, which might allay fears. There will be deliveries by large vehicles whoever the end user of the site may be, so can we be sure that there is enough space for them to turn round? Is not talking about articulated lorries and car transporters, just about big lorries etc which he would not want to see backing in and out of the site.

MJC, in response:

- regarding the last point, the applicant has provided tracking of a larger vehicle turning in the site and the highways department is happy that this can be done;
- in response to PB, there is no obligation for the applicant to provide staff car parking on site. There is a bus stop just outside the site, and alternative ways of getting there, and like it or not, people can park on public highways should they wish; it would not be

appropriate to attach a condition regarding staff parking, or to require a certain number of spaces to be allocated;

- some sort of informative may be sensible, however. This is a busy junction, and the developer should think carefully about provision for staff; this is a reasonable compromise;
- regarding loading, a condition is not really necessary, but is achievable should Members wish to condition that lorries are all brought onto the site to load and unload.

BF: there are conditions on the sites at Baylis on Princess Elizabeth Way and the BMW Garage because when large vehicles are delivering or collecting, the dual carriageway becomes a single carriageway and causes major traffic problems. It takes two hours to unload a transporter, and even delivery of tyres is a long job. There should be a condition that this is done on site.

CN: has a lot of sympathy for BF's concerns about this site, but greater sympathy with PB's comments about the shortage of employment land. This is a disused site and its development will be good for the town. Too many limitations could cause problems for the developers, and is not convinced that regulations allow us to attach such conditions. Will support the application; it is a good idea in principle.

GB: one suggested condition has officer support – to ensure that deliveries are all made on site. Will take vote on this, and then on officer recommendation to permit.

Vote on inclusion of additional condition requiring all deliveries and collections to be carried out on site

14 in support – unanimous

CARRIED

Vote on officer recommendation to permit with additional condition as above

14 in support – unanimous

PERMIT

6. 16/00905/FUL Pipers Wold, 22 Greatfield Drive

Application Number:	16/00905/FUL
Location:	Pipers Wold, 22 Greatfield Drive
Proposal:	Proposed erection of a pair of semi-detached dwellings (following demolition of existing bungalow)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	3
Update Report:	None

CS introduced the application as above, pointing out a small error in the introduction to the officer report – it refers to the existing bungalow as semi-detached whereas in fact it is detached. A previous application for similar development was withdrawn and has been reworked. The application is at Planning Committee at the request of Councillor Baker, and the recommendation is to permit.

Public Speaking:

Mr Mark Le Grand, applicant, in support

Most points are covered in the officer's report, but will reiterate the key ones here. During the design process, specific care was taken to ensure the size, scale and bulk of the final

design is sympathetic to the surrounding area, working closely with the planning officer to ensure her very detailed and constructive advice was interpreted correctly. Also liaised with neighbours and local residents prior to submission, resulting in the traditional design of the dwellings which fits well in the street scene. The building has been positioned and designed to have no impact on shadow and light to the surrounding properties. As a result of working closely with the planning department, the recommendation is to permit, there have only been two objections from local residents and none from the council's advisers and consultees. Most importantly, the proposed scheme fully complies with all relevant sections of the Local Plan, the SPD guidance and the NPPF. Feels strongly that the proposed scheme is suitable for the site and hopes Members will approve.

Member debate:

PB: Members may be wondering why he asked for this application to be referred to Planning Committee. Had requested that the previous scheme come to Committee, but this was withdrawn. Now would like to congratulate CS and the applicant for coming forward with this current scheme. They have worked hard together, and the resulting proposal is a credit to officers which he is happy to support.

Vote on officer recommendation to permit

13 in support

1 abstention

PERMIT

6. 16/00238/FUL 28 Gwernant Road

Application Number:	16/00238/FUL
Location:	28 Gwernant Road
Proposal:	Proposed porous asphalt driveway and dropped kerb.
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	0
Update Report:	None

CS described the application as above, which relates to land to the front of 28 Gwernant Road, part of the soft landscaping owned by CBC. The recommendation is to permit, subject to conditions.

Public Speaking:

None.

Member debate:

MC: looked at the site on Planning View and has no issues with this sensible scheme, which obviously needs to be on the left hand side of the site. Is a bit concerned that this part of the grass verge has been abused by home-owners or other people. If permission is given for No 28, this could set a precedent, and notes that the area below is planted with trees which should be protected.

MJC in response:

- officers wouldn't necessarily look so keenly on other properties in the road coming forward with similar proposals, as they would need to drive their cars across a much wider verge.

BF: has no problem with this; it will mean fewer cars on the road which is on a bus route and should therefore be applauded. Other people may think it's a good idea and do the same; this is the way to go. These houses were built when cars were much narrower; buses struggle to get through between parked cars. A similar situation exists on Warden Hill Road. If people want to do it, they should be encouraged.

CH: is looking on Google Earth and can see how people have had to get across the grass verge. Has similar issues in Priors Road in Oakley; the area was originally set out with nice green open spaces, but as parking has become more of an issue, these have been informally used for cars. It is better to have the situation managed, and would suggest that if No. 26 wants to do the same, the access for No 28 should be doubled, with just one drop kerb. If all the houses want it, this should be managed all together, to maintain some sort of green space. This principle could be used elsewhere in the town, with more imaginative ways of achieving access looked at, softening the frontages with drives going across. Anything that removes cars from the roadside is a good thing.

PT: as far as she knows, buses don't use this part of Gwernant Road – the D bus goes along Caernarvon and Warden Hill Roads. Notes that No. 26 already has tarmac put down which marries quite nicely with No. 28. Her only concern is that residents use the wider part of the grass verge in the summer for a trampoline for the children; it is a well-used community space, and has three trees on it. Should the trees be TPO'd to protect the space?

CS, in response:

- officers recognise the importance of green space to housing developments in this area, but have to consider applications against planning policy, and hard standing not harmful;
- there is a wider issue about areas of land such as this; any applicant would need permission from CBC to do work, and each would be considered on its own merits.

GB: all applications have to be considered on their own merits. Will consider future applications as and when they are submitted.

SW: looking at Google, feels there is something not right on the drawings. Nos 24 and 26 appear to have grass verges to the front, but Google shows them as already tarmac'd.

CS, in response:

- the area to the north of No. 26 is already hardstanding, and is immune from enforcement action due to the length of time it has been in situ;
- officers regard the area to the south of the site as an important green space, with significant trees;
- any further applications would be considered on their own merits.

CN: would reinforce PT's comments on TPOs for the three trees, in order to help preserve the recreational value of the area. CH's idea is an interesting one – managed control of access and car parking – and suggests that this is embraced in the next version of the Cheltenham Plan to cover the whole of the town.

CS, in response:

- the land at the front of the houses is owned by CBC, so the trees there are in council control, making a TPO not entirely necessary.

MJC, in response:

- this issue will apply to the next application tonight as well – another driveway across a grass verge;
- the matter is not entirely appropriate for the Cheltenham Plan, being slightly too low key, but it is important to maintain communication between CBH, CBC and GCC here.

CN: car parking etc raises huge issues – it is not low key.

GB: MJC only meant in terms of the Cheltenham Plan. These areas are important and the responsibility of CBC; the message will be heard and taken on board.

BF: in certain areas, traffic and parking are major issues. This application is doing the right thing. Trees belong to CBC and are the responsibility of the highways department .

Vote on officer recommendation to permit

14 in support – unanimous

PERMIT

6. 16/00317/FUL 33 Kingsmead Road

Application Number: **16/00317/FUL**
 Location: **33 Kingsmead Avenue, Cheltenham**
 Proposal: **Construction of a driveway (retrospective)**
 View: **Yes**
 Officer Recommendation: **Permit**
 Committee Decision: **Permit**
 Letters of Rep: **0** Update Report: **None**

MJC explained that this application was due to be heard last month, but was deferred following Planning View when officers and Members noticed that a neighbouring driveway has been installed without planning permission. The officer update explains the background of this. The planning application at 33 Kingsmead Avenue is retrospective; the neighbours were issued with a Certificate of Lawful Development for their drop kerb and permeable hardstanding to the front of their property, and told that they would need planning permission to replace the existing grass verge with hardstanding. No application was received, despite the work being done. Officers feel this is regrettable, but acknowledge that the driveway is compatible in its context, as Members saw on site. There is also a driveway at No. 37, which has been there for a number of years and therefore has deemed planning permission. The recommendation is to permit.

Public Speaking:

There was none.

Member debate:

SW: has no real arguments with what is being requested here, but has concerns that retrospective applications are required for the neighbouring works - this land is owned by CBH. We need to send note to CBH , saying it is not acceptable that they are required to put in retrospective applications - they should do so on Day One.

GB: MJC will point out the need to be more effective here; TC will write to CBH to make sure the message is heard and understood.

CH: as with the previous application, the drawings don't include the driveways which have been added, and it would be helpful to see them drawn in, even unofficially. Following on from his earlier comments, wonders whether, in cases where cars will have to be driven over green space, some kind of concrete blocks with grass growing through could be installed, for a softer overall effect which would look better. Those kind of styles can be put in more easily – need to look at how to do at Planning and Liaison Member Working Group.

PT: are CBH the real criminals here? Residents are putting the driveways in themselves, CBH doesn't have the capacity to visit all their sites very often. They should not be too criticised for it.

HM: saw that the adjacent property had a newly-installed driveway over the grass verge; have asked that the residents apply for retrospective planning permission, but hopes that enforcement action will be taken if not. It is not even-handed if one neighbour has paid for planning permission while the one next door gets away with it scot free.

Vote on officer recommendation to permit

14 in support – unanimous

PERMIT

6. 16/00693/FUL Land at Colletts Drive

Application Number: **16/00693/FUL**
 Location: **Land At Colletts Drive**
 Proposal: **Change of use of site to provide a 41 space car park for local business.**
 View: **Yes**
 Officer Recommendation: **Permit**
 Committee Decision: **Permit**
 Letters of Rep: **0** Update Report: **None**

CH advised Members that an email from the ward councillor has been received, with no objection to the proposal itself, but in view of the proximity of the site to the River Chelt, requesting that materials used should be suitable to ensure that there will be no increased run-off to the river. The application relates to a gravelled area with Tesco to the north, and the River Chelt to the south, in a residential and commercial area. Up to 41 car parking spaces are proposed, with no physical work to the site. The additional spaces are required for an engineering company on Central Way which is expanding. The application has been submitted by CBC, and the recommendation is to permit.

Public Speaking:

There was none.

Member debate:

PT: concerned that some bunding towards the entrance to the site will be lost. This will be a shame, as although it is somewhat overgrown with weeds and so on, it is more attractive than tarmac.

CH, in response:

- the loss of the bunding is the result of a condition recommended by Gloucestershire Highways, requiring set backs to ensure visibility splays and to ensure that they are not obscured in the future.

Vote on officer recommendation to permit

14 in support

PERMIT

6. 16/00797/COU 2 Courtenay Street - DEFERRED

Application Number: **16/00797/COU**

Location: **2 Courtenay Street, Cheltenham**
 Proposal: **Change of use from a 5 bedroom shared house to a 7 bedroom house in multiple occupation.**

DEFERRED

6. 16/00911/COU 43 Courtenay Street

Application Number: **16/00911/COU**
 Location: **43 Courtenay Street, Cheltenham**
 Proposal: **Change of use from a 6 bed house in multiple occupation (HMO) to 8 bed HMO (retrospective)**
 View: **Yes (exterior of site)**
 Officer Recommendation: **Permit**
 Committee Decision: **DEFER**
 Letters of Rep: **1** Update Report: **Letter from Gloucestershire Highways**

MJC introduced the application as above. It is a retrospective application and has been used as an eight-bed HMO for seven years. This application was not called to Committee, but in light of the application at No. 2 Courtenay Street being so (now deferred), officers felt the two should be considered together. The recommendation is to grant permission. Officers appreciate that there is a bigger concern about the number of HMOs in St Paul's, but feel that the issues cannot be resolved by one application – there is a much wider piece of work to be done. This application is to allow two extra people in one house.

Public Speaking:

Ms Tess Beck, local resident and representing St Paul's Residents Association, in objection

It's a shame that Cheltenham students are expected to live in more crowded conditions than students in neighbouring university cities, and that the space here described as adequate by the planning officer would not be considered adequate elsewhere. Rooms have been subdivided, and there remains just one combined living room/kitchen as the only shared space. If CBC introduces additional licensing in the future as has been discussed, this property would not be considered big enough for eight people; such overcrowding is not beneficial to the tenants. More students means more noise disturbance, and with limited communal space indoors, students are more likely to socialise outside, often late at night, with noise travelling a long way and disturbing a lot of people. The planning officer notes that there have been no complaints to Environmental Health about the noise from this building but as one of several properties on Courtenay Street and Marle Hill Parade which backs on to it, it isn't always possible to identify where noise comes from. Noise complaints about student houses are usually reported to the University rather than Environmental Health, as it is more responsive in dealing with complaints.

There are 19 student HMOs in Courtenay Street, this being the most densely occupied, with the others 5-6-way lets. This makes up over 40% of the properties, creating a significant community imbalance, contrary to CBC's corporate strategy for strong and healthy communities. The conservation area character assessment acknowledges that although students bring vibrancy to an area, there is a fine line between the beneficial nature of

student activity and the nuisance caused by the intense nature of the use. By having eight rather than six students, this application has crossed that line.

Residents are concerned that the property has been operating as a licensed HMO for seven years without planning permission, which suggests lack of communication between departments at the council. It is not only council officers who should take the blame for this; the applicant owns and manages several student lets in St Paul's and elsewhere in Cheltenham, and should therefore be aware of the relevant planning regulations.

Mr Martin Cooley, applicant, in support

In 2007, acquired the property and carried out large-scale refurbishment to create good-quality accommodation, which has been let to eight students from September 2008. Applied for a license in 2009, and has since renewed it twice. Student accommodation is regulated by the University, and inspected by their officers. This is a well-managed house, popular with students, who often return for a second year. Demand for student accommodation is high in Cheltenham and likely to increase. Respectfully asked to be allowed to continue to let this house as it currently is.

Member debate:

PB: thanked the speakers for good presentations for and against this application. Was councillor for St Paul's ward many years ago, when it was a lovely, well-maintained area of the town. Now it is awful, with property prices badly affected, noise, rubbish everywhere, car parking issues and so on – this is a real shame. Understands that the town needs student accommodation, but we also need to provide good areas for people to raise their families. Clearly this particular horse has bolted and it is too late to change the situation here, but we have to introduce something to the Local Plan to improve the quality of student accommodation and protect areas of the town from this imbalance. Is the speaker right that Cheltenham is providing poorer student accommodation than other neighbouring towns? It's high time that this issue was tackled properly for St Paul's residents. Something is needed in the Local Plan to prevent this area from being further downgraded.

MC: was disappointed not to see inside the property on Planning View, as this would have been useful. Is very concerned about the objections, one of which lays out the square meterage of the rooms in this house and the suggestion that CBC is using different guidelines from universities in neighbouring cities. Is it right that the standard doesn't meet the University of Gloucestershire's own landlord guide? This is a real concern. Is eight people living in 18.4 square metres compliant? Notes that Gloucestershire Highways has stated that there will be no difference in impact between six and eight residents, but how many parking permits per dwelling are allowed in this area? Eight students could mean eight cars.

BF: PB is right and we are between a rock and a hard place here, with the University building additional student accommodation in Albert Road, Gloucester, and around the county to fulfill demand. To answer MC's question, two parking permits are provided for each house, to the owner of the property, so it is up to him whether or not to pass these on to the students or to charge for them. The University tells students about the parking schemes in the area, that there is no room for more than two cars per house, and that they need to discuss this with their landlords. This particular HMO has been operating with eight people for some time; it's a shame Members couldn't see inside, but not true to say that there were dustbins everywhere. There can be problems with students at this density, and this is something that the Cheltenham Plan can address. Will be interested to hear officer comments about eight people living in a small terraced house. St Paul's has a lot of pluses still, and isn't as bad as it's painted. Most students are a credit to the University and the area.

KH: knows this area, and noted on Planning View that it didn't appear swamped with rubbish, and the minibus was able to park. Realises that the students were moving out that

day, but regrets that Members weren't able to see inside the house – it is very important to take this into consideration when making their decision. Backs PB's comments which were very pertinent. It was good to hear from both speakers. Regarding officer comments, notes at 6.2 the acknowledgement of the possibility of this application adding to the cumulative impact of noise – this is important not only to permanent residents but also to students themselves, who need peace and quiet to study. They also need adequate space in their rooms for a desk etc. Accepts that the property is already being used for eight people, which we must bear in mind – so generally supports the officer recommendation to permit, but considers it important to recognise that the cumulative impact.

The objector compared Cheltenham's student accommodation with other university towns. Knows that Bath has introduced additional licensing, and that what is permitted in Cheltenham may not be permitted elsewhere but we have to judge this application on our own current guidelines. MC mentioned the University of Gloucestershire's landlord guide, and understood that a student HMO should have a sitting room with enough sofas and easy chairs for all the tenants. Cannot see that this can be provided in this house, even though the applicant said that the house is well managed. Additional space to socialise is important.

It is a fact that the street has a large number of HMOs, and in view of the cumulative impact of authorising these extra bedrooms, the application could be refused. However, it is a retrospective application and has been used for some time. It seems odd that it has been licensed by this authority – this needs to be looked at.

As a final point, it is important to make it clear to applicants that they should get planning permission *before* making any changes to a property. Is not convinced that the rooms let out on the plan are of sufficient size for students to do what they need to.

HM: we have seen a lot of HMO application recently, and similar concerns are expressed every time. Is looking forward to the Cheltenham Plan finding a way forward for residents and for students. Regarding the density and the facilities being offered in these houses, we need to look at the student guide in Gloucestershire and other neighbouring towns and universities. This needs to be done in depth, and as officers are stretched, suggests a working group or scrutiny task group to make sure that a good, reliable and enforceable policy is included in the Local Plan.

MJC, in response:

- this has been an interesting discussion. Regrets that Members weren't able to see inside the house, for the reason as stated that the tenants were moving out that day. In view of this, has suggested to the applicant that if Members are minded to refuse the proposal, they should defer their final decision to allow them the opportunity to see inside the house first; the application could be brought back to Committee next month. This would be appropriate particularly in view of the fact that the applicant isn't being awkward here – there were legitimate and logistical reasons why Members could not go inside the house on planning view;
- regarding various Member comments about university standards and whether this HMO meets them or not, it should be remembered that these are university standards not CBC ones – a useful benchmark, but we cannot make planning judgements against them; and under the current framework, we can't assess on something that might happen in the future;
- regarding parking permits, does not know the number allowed per household; BF has informed Members that it is two, but officers cannot endorse this;
- regarding the wider issue of the number of HMOs in St Paul's, this is a bigger discussion which needs to be had. The problem cannot be fixed by this one application – that horse has bolted as PB has said, and the landlord has been operating this 8-bedroomed HMO for seven years;
- HM is right – officers have started to look at the issue – Mark Nelson is doing some work on behalf of the Planning and Liaison Member Working Group, and his reports will

ultimately feed into the Cheltenham Plan. HMOs were discussed a few meetings back, and as a result of Members' obvious concerns, Mark Nelson has started work on it;

- reiterates the point, however, that this application is retrospective, has been in operation for seven years, and that is at the heart of the recommendation to permit;
- if Members feel inclined to refuse, suggests they defer instead, and re-visit the house.

MC: this is all useful information; will move to defer.

CN: MJC didn't address the issue about the difference between an HMO being licensed and having planning permission. Which comes first? Planning and licensing need to keep some sort of record to avoid this silly situation, which has happened before. This could be addressed now rather than waiting for the issue of HMOs to be addressed in the Local Plan.

DS: if the house is licensed by CBC, does that mean it passes all the tests regarding fire escapes etc? Clarification of this would be helpful.

CH: was going to make the same point. Also, regarding parking permits, two are allowed per household, and it is the person who pays the council tax who can apply; any resident can buy visitor permits. Would expect parking to be quite reasonable in this area during the day, but residents' parking schemes don't apply at night.

It is helpful that CBC has given a license for this HMO to operate with eight residents, as Members will be able to see the reasons given, which will help in determining why another department felt it to be OK, and for similar applications in the future, for Licensing to see what Planning has done. When a landlord applies for a license, prior planning permission should be required or the licensing team will pass the application on to Planning; if no application is put in, enforcement action should be taken. We should take some learning from this, and engage in some tidying up of the way the two areas work. In fairness to the applicant in this case, agrees that deferral is the best option tonight.

GB: all these points will be taken away and dealt with outside the meeting. Are Members happy to vote on MC's move to defer?

SW: is OK with voting on this, but not happy with the number of students being squeezed into these houses. If the decision is deferred, Members go and look inside the house, are not happy with what they see but officers continue to say it is OK, there is not point in deferring the decision. This HMO has a license but no planning permission; attended a meeting not long ago where a 'one-stop-shop' approach was discussed, through which applications would be shared between licensing and planning.

MJC, in response:

- SW is quite right, and officers have been working hard on this for two years, with the aim of improving the lines of communication, and working with environmental health and licensing officers in other areas; this particular area of HMOs has not yet been dealt with. Realises that the planning team is not yet fully engaged in the process; it is a Systems Thinking issue, part of the REST project, and has already improved, although there is still room for further improvement. Planning officers will continue to work with the enforcement team;
- to DS regarding the fire escape, is not actively involved in the licensing of HMOs so cannot say whether or not this house complies, but the applicant stated that the the property has a license and has been relicensed since 2008; these matters can be difficult as they fall in the perceived linked areas such as planning and building control;
- officers will take away the points made by Members tonight and actively engage with the housing standards team.

SW: following on from his earlier question, are Members likely to find anything to object to if they look inside the house?

GB: that is hard to answer and they cannot tell until they see it.

Vote on MC's move to defer, pending visit to property

12 in support

1 in objection

1 abstention

MOTION CARRIED – DEFER

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

There were none.

Chairman

The meeting concluded at Time Not Specified