

## Planning Committee

6.00 pm, 16 February 2017

### Present at the meeting

Councillor Garth Barnes (Chair)	Councillor Diggory Seacome
Councillor Bernard Fisher (Vice-Chair)	Councillor Klara Sudbury
Councillor Mike Collins	Councillor Pat Thornton
Councillor Colin Hay	Councillor Simon Wheeler
Councillor Karl Hobley	Councillor Rowena Hay (Reserve)
Councillor Helena McCloskey	Councillor Chris Mason (Reserve)
Councillor Louis Savage	Councillor John Payne (Reserve)

### Officers in attendance

Martin Chandler, Team Leader, Development Management (MC)  
 Chloe Smart, Planning Officer (CS)  
 Victoria Collins, Planning Officer (VC)  
 Ullin Jodah McStea, Heritage and Conservation Officer (UJM)  
 Chris Chavasse, Senior Trees Officer (CC)  
 Annie Holdstock, Trees Officer (AH)  
 Nick Jonathan, Legal Officer (NJ)

### 89. Apologies

Councillors Oliver, Nelson, Lillywhite and Baker.

### 90. Declarations of Interest

#### 16/01812/FUL Kohler Mira Ltd, Cromwell Road

Councillor Rowena Hay – is speaking in objection to this application – will leave the Chamber.

#### 17/00017/FUL & LBC Shoreline Cottage

Councillor Barnes received a bundle of papers from the applicant; he did not look at these but has given them straight to officers. KS said that she suggested the applicant send the package of information to all Committee members, as the photos did not copy particularly well. Other councillors confirmed that they received the documents but did not look at them.

### 91. Declarations of independent site visits

There were none.

### 92. Public Questions

There were none.

### 93. Minutes of last meeting

Resolved, that the minutes of the meeting held on 19<sup>th</sup> January 2017 be approved and signed as a correct record *without* corrections.

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

**95. 16/01755/CONDIT Land at Manor Farm**

Application Number:	16/01755/CONDIT		
Location:	Land at Manor Farm		
<b>DEFERRED</b>			

**96. 16/01812/FUL Kohler Mira Ltd, Cromwell Road**

Application Number:	16/01812/FUL		
Location:	Kohler Mira, Cromwell Road		
Proposal:	Provision of secondary vehicular access onto Cromwell Road, extension to existing cycle shed to provide 40no. additional cycle spaces, alterations to car parking layout, and new pedestrian path, security fencing and landscaping.		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	12	Update Report:	Additional condition

MJC introduced the application as above, for variation of works already permitted at Kohler Mira. It is at Planning Committee at the request of Councillor Rowena Hay, due to the high level of concern from residents. The recommendation is to permit.

**Public Speaking****Councillor Rowena Hay, in objection**

Recognises that Kohler Mira is a large local employer and understands the need for the site to be modernised to achieve safer site management, but challenges the need for two vehicle entrances. Welcomes the cycle and pedestrian elements of the scheme, but is concerned that the automatic barriers will result in congestion at peak times. This is not a quiet road as stated in the report; the second entrance will increase movement, and result in a loss of parking spaces. It may not represent a loss of amenity in planning terms, but will affect those living in the area, and could also cause problems for the A bus which runs every ten minutes. Residents are also concerned about the safety risk to parents and children attending Oakwood School; the build-outs were installed to ensure safe crossing to Bredon Walk and these will now be moved. The tactile paving and dropped kerb will remain, however, which could be a hazard for the visually impaired. The trees officer's suggestion for three replacements trees should be conditioned. Also, smoking off-site and cigarette rubbish is an issue for local residents and not good for Kohler Mira's public image. Improving the shelter for smoking is not part of the planning consideration but is an issue to note. There is also the issue of noise and disturbance, in addition to the loss of mature trees, to be considered.

**Member debate**

**HM:** RH mentioned the barriers to access the site. Will these be permanently up during shift change-over times or rise and fall for every car?

**CH:** the new access is intended to separate public and private areas of the site, but the public area looks like a staff car park. The point about the barrier is important; if it goes up and down for each vehicle, it will cause considerable congestion at shift change times. There could be some confusion about the separate car parks when there are so many parking spaces. If there is not adequate signage and the public don't know where to go, they may drive into the wrong entrance further down the road. It would be good to understand what Kohler Mira intend to happen.

**MC:** as a aside – a minor detail but nonetheless annoying – P46 of the officer report refers to Gloucester County Council – this should be Gloucestershire.

**BF:** on site view, Members were told that the build-out would be moved up and asked whether it would be constructed before the existing build-out is taken away. It's true to say that Cromwell Road is not a quiet road, and Bredon Walk is used to take children to school; this is the right and most obvious place to cross this road. Would like to see the crossing place upgraded and light controlled, as a safety feature, to slow drivers down.

**DS:** cannot see any mention in the papers – is there any estimate if this proposal would increase the traffic numbers and if so, by how much?

**MJC, in response:**

- To DS, no new floorspace is sought, suggesting no increase in the number of trips. Kohler Mira's desire is simply to improve circulation within the site;
- To CH and HM, regarding the barriers, does not know whether these will rise and fall with each car at peak times, but suggests this would not be helpful for circulation of traffic and would therefore expect they will stay open during constant streams of traffic;
- Takes CH's point regarding traffic entering the site – this could cause queuing – but why would Kohler Mira want this to happen. GCC has provided a detailed response and is aware of the barrier proposed, so presumably has taken this into consideration;
- CH's point about visitors and signposting is a valid observation; the layout as proposed would enable someone to go along the road at the front of the site to the new visitor parking area;
- To BF, regarding the build-out, there is a recommendation in the conditions (Condition 3) concerning the drop kerbs, but it doesn't give a trigger. This is reasonable – as with other sites around the town, the applicant will be reliant on the county council to do the work, and would need to settle a legally binding agreement with the County before it does the work. If the County delays, this would not be the fault of the applicant, and it would therefore be unreasonable to say the access cannot be used until the work is done;
- The condition as recommended is correct. If planning permission is granted and it is not looking like the county council will do the work in a timely manner, Members can lobby the County;
- To RH, regarding street trees, there is a condition on the blue update requiring the planting of additional trees.

**PT:** can there be condition requiring the barriers to be left up during busy times to stop congestion. Cromwell Road is busy, fast and straight. It's all very well Kohler Mira making these changes to improve circulation in the site, but if these means the opposite outside the site, it will be detrimental to the area. The barriers should be left up at shift change times.

**JP:** has some concern about the management of the new entrance which it would be helpful to have clarified. The existing entrance has a security guard on duty. Kohler Mira won't allow free access so will there be security officers on the entrance and would this mitigate the congestion at busy times?

**CH:** there are a few things which need to be addressed – the local residents have some concerns – and there are parts of the report which should be highlighted. Cromwell Road is described as a quiet residential street – it is residential but not quiet; it is a busy through-road. A number of large vehicles go to and from Kohler Mira, and Cotswold Road is almost a one-way street for these getting through. In addition, it is a bus route, and also a route used by learner bus drivers. Kohler Mira won't want the security gates open all the time, allowing open access to the site. It will be difficult at shift times and this is a real worry. Cannot support the proposal until we know how this is to be managed.

Residents are concerned about moving the build-out. It will be positioned in front of someone's house, and will also mean the loss of two car parking spaces. Traffic is currently controlled going eastwards. If someone is wanting to go into Kohler Mira site, the build out is quite close to the entrance, causing vehicles to swing out into the road before turning in. Why does it have to be moved? Is concerned that, from a simplistic point of view, it just won't work. In addition, if the crossing point is moved up, the tactile paving will remain at the previous point opposite Bredon Walk, where there is no restriction – this could be an issue for people with visual impairment. If it has to be moved, it should go somewhere better, not worse.

All in all, there are a number of reasons to be concerned about this application. The management of the site needs to be changed. Kohler Mira is a good employer – is pleased that they are here in his ward – and wouldn't want to discourage them in any way, but this application isn't quite right. Building 20 on the plans is described as a 'product and public viewing area' – hadn't appreciated that Kohler Mira had a public viewing area, having always purchased spares by post. But if this is a public viewing area, and Kohler Mira is wanting to improve the site, it may have more changes in mind, which puts a slightly different slant on things and raises another question mark. Cannot support the proposal as it is. Would like it to be looked at again – move the entrance towards the building, car parking east-west not north-south – this would mean a few spaces are lost but other issues would be avoided.

**SW:** to PT's comments regarding the security gates, they cannot be left open all the time – but some measure could be requested for the gates to be organised in a manner that won't cause a backlog of traffic onto the main road. It looks like there is a lot of drive on the Kohler Mira side of the road; maybe a few cars could be allowed to park before the barrier. CH's comments are concerning.

**GB:** would remind Members that they are here to consider the application before them, not to amend it.

**PT:** GCC should not just be talking to planning officers; the applicant needs to be communicating with the County about any roadworks that will affect its plans. Is puzzled by MJC's comments.

**BF:** with reference to MJC's earlier answer, wouldn't want to suggest that Amey is slow to do roadworks, but there is a safety issue here. The pedestrian drop kerb opposite Bredon Walk is the natural place to cross the road. If this is taken away, we have a responsibility to the people who use it. It is a well-used route for families going to school; would like to see the chicane left in place. The overriding consideration is the safety of pedestrians. This won't be business buster for Kohler Mira. If they could look at this again, could support the application, but is not happy with it as it is. There must be other ways to organise the changes.

**HM:** regarding the barrier, the estimated number of parking spaces is the same, and no increase in traffic is anticipated. The existing entrance has a safety barrier; the new barrier will be some distance into the site from the kerb. The question is whether there is any congestion now. There has been no comment from local residents about this so presumably it isn't a problem, and so the new barrier is not likely to make it worse than now. The only question for her, therefore, is the build-out.

**MJC, in response:**

- Agrees with HM regarding the barriers – the new ones will replicate the existing situation, just be further over in the site to the east;
- SW said there is a lot of driveway on the Kohler Mira side. The application seeks to shift the gates back; GCC has scrutinised the scheme and Kohler Mira knows how its site works. If Members are concerned about the barrier position, there could be a condition to set out how the barrier is used, although officers do not consider this to be necessary;
- Regarding buildouts, it is rare we get road safety audits as part of a planning application, but if one has been provided, it is difficult to question it. Regarding the moving of the buildouts but retention of the tactile pavement, the desire line for crossing is to Bredon Walk, which will remain a well-used crossing point, whether there are buildouts, tactile paving or whatever. If it was not considered reasonable, GCC would not have signed it off;
- CH referred to vehicles having to swing out before turning in to the site, and this might not be ideal, but moving the buildout makes sense, and it is difficult to challenge the findings of the audit, which results from a rigorous process;
- accepts BF's point about the delivery of the build out, but it is GCC's conclusion that it is not necessary for this to be done prior to use of the new access. If a condition is attached, GCC is in control, and conditions shouldn't rely on a third party's activity but be in the gift of the applicant to deliver. The applicant would prefer to have a planning permission with a condition than a refusal, but Members shouldn't be surprised if the applicant comes back with an application to vary the condition. It can be done – but officers don't advise it.

**CM:** works on a site with security barriers – they work efficiently, and Kohler Mira will be able to sort out any problems quickly. Noted on site visit that if the buildout is left as it is, cars travelling eastwards to the site will obscure crossing the road from cars turning right. It should definitely be moved.

**CH:** could be mistaken, but believes the current access to the site has a security guard but no barriers; the new access will have barriers but no security guard. Employees will have passes to gain access. Members just want to see how the scheme can be better; they are told that they're not here to redesign schemes, but if rejected, the minutes will show what Members would find acceptable. These smaller points are worth making for that reason. As an aside, the build-outs were put there when Oakwood School was established to help with additional traffic, and any roadworks should be carried out in school holiday time. Ordinarily, Amey would do the work, but Kohler Mira can appoint another approved contractor to do the work, should they wish.

**MJC, in response:**

- to confirm, would members like (1) a condition regarding how the barriers are operated, and (2) another one about the delivery of highways works prior to the beneficial use of the works?

**GB:** if Members are happy, officers can work out the wording of these conditions; Members can vote on them individually.

**Vote on condition regarding operation of the barriers at peak times**

10 in support  
1 in objection  
1 abstentions

**CARRIED**

**Vote on condition to require highways work prior to implementation of work on site**

7 in support  
3 in objection  
2 abstentions

**CARRIED**

**RH:** can there be a condition requiring the highway works during school holiday time?

**MJC, in response:**

- an informative would be more appropriate for this.

**Vote on officer recommendation to permit, with two conditions**

9 in support

3 in objection

**PERMIT with conditions as above**

**97. 16/01994/FUL 53 St George's Drive**

Application Number:	16/01994/FUL		
Location:	53 St Georges Drive Cheltenham Gloucestershire		
Proposal:	Drop kerb to provide access with gravel hardstanding		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Refuse		
Letters of Rep:	14	Update Report:	[transcript of applicant's public speech]

**MJC** introduced the application as above, to create off-street parking for two cars. It is at Committee at the request of Councillor Willingham, in response to the high level of local interest in relation to parking concerns. The report sets out that this issue has been considered. The recommendation is to permit.

**Public Speaking:****Ms Julie Fisher, neighbour, in objection**

A total of 14 neighbours have objected to this proposal . St George's Drive is comprised of 67 two-bedroomed maisonettes; the ground floors ones have street facing front garden and rear garden; the top ones just have a rear garden. As a result, most people park on the road, other than some properties on the roundabout, and two properties with planning permission to convert their gardens to drives. During the daytime and holidays, the street is quite quiet, but in the evening and at night, it is full, sometimes impossible to find a parking space. With this proposal, two on-street spaces will be lost to provide two private spaces. The current tenant only has one vehicle to one parking space is lost to the street. There is an average of one car per household. As only ground floor maisonettes have the opportunity to convert their front gardens, residents of the top maisonettes lose the chance to park near their property. This was acknowledged when a previous application was permitted, though the officer stated that each case must be considered on its own merits. Many residents consider the tipping point has now been reached, and current parking difficulties in the road will be further exacerbated by knock-on effect of the parking permit scheme in adjacent roads, coming into effect in July. In addition, the removal of front gardens spoils the appearance of the street, and affects wildlife. The loss of two more parking spaces is more than the street can bear. To sum up, this proposal is unfair to top floor maisonettes, will

reduce the number of on-street parking spaces, and will be detrimental to wildlife and the appearance of the street.

**Mrs Carol Gilbert, applicant, in support (not present at meeting)**

Transcript of speech:

*I believe mine is only the third Application of this kind which does not seem excessive given the number of properties in the road and I understand that neither the Planning nor Highways Depts. have an issue with it.*

*From the residents point of view, I would suggest the real problem emanates from the fact that three other properties, Nos. 29,35 & 41, have converted to off street parking without consent. .*

*I have read the various objections and feel that comments regarding detriment to the appearance of the street are not relevant as brand new gravel with a stone front edge could only be an improvement to the existing and I am sure any wildlife would be happy with it. As to the idea that I would expect any tenant to pay for the work, I cannot imagine where that came from, or indeed that I intend to sub-let; these remarks are totally groundless. You will have noted during your site visit that work has not commenced as has been suggested.*

*I have followed correct procedure by applying for consent and paying the relevant fee and it seems neither fair nor reasonable that I should be penalised because other people have flouted the rules.*

*I would ask the Committee to consider that, if it is felt mine would be one too many, a fairer option might be to make those who have not complied with regulations reinstate on street parking and apply in the correct manner.*

*Thank you for your time*

**Councillor Willingham, in objection**

This is a difficult application for Members to decide, but it is evident from the number of objections that there is considerable public interest, which is why he requested a committee decision. As a liberal, is cautious about depriving anyone of the right to develop their home as they see fit, but this is a case where the rights of the individual are outweighed by the needs of the wider community. The application appears to be swapping one on-road parking space for one off-road, but is not that simple. If permitted, the owner of the ground floor flat gains not only any off-road parking spaces but also the sole ability to park further vehicles on the road blocking the access, to the detriment of residents of the upstairs maisonettes. There is a lack of clear planning policy on which to refuse this application, but would suggest that policy CP4(a) can be used as the primary reason, as it will cause unacceptable harm to the amenity of the area. The planning officer has been cautious and used a restrictive interpretation of this policy, only considering the items specifically listed in Note 1 of the policy, but other items, such as parking, can be used; if this and other similar applications are permitted, residents of the upper maisonettes could end up with no parking space at all. Secondary grounds for refusal are Policy CP4 (c) and (d), due to the potential for low level crime and disorder and anti-social behaviour resulting from the 'parking wars' which could arise from these divisive applications. Has to deal with this in other parts of his ward, and expects other Members face similar issues in their wards. Urges the Committee to take notice of the significant level of opposition to this proposal and the cumulative consequences of these detrimental planning applications. Believes there can be equitable, negotiated solutions between neighbours to these parking problems, but these are not something that can be conditioned by planning.

**Member debate:**

**KS:** all occupiers of the street will be affected by any reduction in parking, and this is not mentioned in the report. This proposal will take away from others the option to park near their homes, which is a loss of amenity.

**BF:** is the proposed drop kerb going to be the full width of the property? Does it need to be?

**MJC, in response:**

- Yes, it will be the full width of the property;
- To KS, regarding loss of amenity, the report talks about the convenience of parking near to home, and officers grappled with this application for some time for that reason. They understand the concerns of residents, and recognise that a tipping point may come – some drop kerbs will already have been approved, but officers will consider that any more will be unacceptable; this is not uncommon in planning;
- This application will result in a loss of on-road parking in St George's Drive, and installing a drop kerb and off-street parking is not an option for the occupants of first floor maisonettes. However, officers do not consider that the balance has been tipped yet, and are trying to consider the convenience of being able to park close to home;
- Planning guidance doesn't allow for this. Officers have taken the advice of County Highways, that this drop kerb is acceptable and tipping point has not yet been reached. A lot of residents of the town can't park in front of their houses. Is this an amenity issue? No – it is nice to have, and convenient, but the application cannot be refused on these grounds.

**PT:** this street is in her ward, and parking has always been a nightmare. If we don't approve a legal planning application, we will be being very unfair to the owner, as there are a number of parking stations in the road which have been installed without planning permission – we should be taking them to court and getting them changed. Is not sure where to go with this, and would like a steer on how it should be handled. When the flats were built on the corner - St George's Gate – one space was provided for all the flats, as there was a government directive at the time that if a property was within one mile of the town centre, there was no need for parking spaces. As a result, a lot of people there are parking on the pavement and on yellow lines – luckily for the residents, tolerant traffic wardens understand the situation. Has huge sympathy but doesn't know where to go. Councillor Willingham is kind to have brought this to Committee as it shows the difficult situation we are in. Considers that the tipping point has already been reached – parking is really bad, as Members saw on Planning View – but doesn't know what to do.

**MC:** also has sympathies both ways, and doesn't want to see gardens used as parking spaces, and further on-street spaces taken away. As PT has said, this application has been submitted properly, yet the applicant has pointed out that elsewhere in the road, residents have converted their gardens without permission. If permission isn't granted, this applicant and other owners of ground-floor maisonettes might do the same. There are too many cars here and not enough parking spaces, and the loss of front gardens is regrettable. What can CBC do about it?

**CH:** following on MJC's comments about the expectation of having a car parking space close to home, the difference here is that for existing residents there will be a loss of an amenity they thought they had. It is a difficult situation, and this isn't the only place in Cheltenham where it is happening. We need clearer guidance about how to deal with this going forward. Enforcement action against those people who have done the work illegally also needs to be addressed. There could be more cooperation if people took less frontage into their drop kerbs, so other residents could still park on the street

**SW:** is minded to refuse this application. DW has made a good case regarding loss of amenity – officers can advise on how strong an argument this is – but will support a refusal

on those grounds if possible. The applicant could consider a drop kerb only half the width of the house; that way an extra space would be provided, as there would be room for two cars off-road and one on-road. And if people have converted their frontage without planning permission and without an official drop kerb, there is nothing to stop other residents from parking in front of their properties, blocking their access. This applicant has applied for a drop kerb, obviously hoping for official permission, but if it is refused, hopefully she will take Members' view on board; maybe she could use half the drive, and come to some agreement with the upstairs neighbour. It will probably come to the point in this road where all the residents of the first-floor maisonettes could find themselves with nowhere to park, and an awfully long walk to their cars. Is minded to vote against this, and hopes the applicant comes back with something more sensitive.

**GB:** would remind Members to keep their comments short; this is a simple application, and Members shouldn't concern themselves with redesigning it.

**RH:** understood that not all drop kerbs need planning permission – some can be done under permitted development? Could officers advise on this?

**BF:** lives in an upstairs maisonette himself; there are gaps between the blocks which provide shared access and a drop kerb between the two blocks could provide parking for two cars, with co-operation between residents – with most maisonettes, the upstairs is the freeholder of downstairs and vice versa, for this reason. These were built when cars were much smaller and narrower, however, with a garages at the back, accessed by the shared driveway. A solution would be that the drop kerb is not the full width of the property.

**JP:** agrees that on the face of it this is a simple application if it wasn't for the complication of on-street parking in the area. Is minded to refuse. As DW has said, these applications have the potential to give rise to a lack of cohesion in the community; people need to get together to solve the issue, and permissions such as this will open the floodgates.

**HM:** over the years has been on many planning views to view proposals where the main concern was parking. The speaker mentioned that Members saw the road in the early afternoon, but it was horrendous; went back to see it in the evening and it was even worse. Has every sympathy with all the residents, and can imagine their anxiety on coming home from work every day not knowing where or whether they will be able to park. Will move to refuse on Local Policy CP4 for loss of amenity for local residents, and particularly for those living in the upstairs maisonettes.

**KS:** the previous two speakers have anticipated most of her comments, but regarding the tipping point and when this might be reached – was involved in the 2004 election and parking here was a huge issue then. What is the tipping point? Will it be the next drop kerb application? Will another ten applications be considered OK? The community says tipping point has already been reached.

**MJC, in response:**

- To RH, regarding PD rights, drop kerbs can be considered under permitted development rights if they are installed at the same time as something else which is permitted development, such as a driveway, but this only applies to householder applications, which this is not, as it is a maisonette. Any drop kerbs should have planning permissions; there are three or four in the road with no record of any planning permission. What recourse is available? If the drop kerbs have been in place for more than four years, they are immune from any enforcement action, and it isn't possible to ascertain or prove how long they have been there;
- On the issue of amenity, understands where Members are coming from; officers discussed this issue for a long time, and considered whether there were any grounds for refusal and whether the tipping point has been reached. If Members think that it has, refusing on CP4 would not be an unreasonable thing to do. Officers expected there to be this debate, and if the applicant goes to appeal, it will be interesting to receive the

advice of the Inspector. Officers are not convinced that CBC would win the appeal, but a refusal would not be straying into unreasonable behaviour territory, so costs are extremely unlikely.

**Vote on officer recommendation to permit**

0 in support  
12 in objection  
1 abstention

**REFUSED**

**CH:** on the point of enforcement action and whether it is worth enforcing something which has been in place for a year or two – particularly against an individual resident – the issue is a matter of respect for the planning process. This is a tough decision but it must be tackled, on drop kerbs, satellite dishes, non-SUDS driveways etc, all installed without permission. The question may be asked as to whether it is worth enforcing, and it might seem petty, but it will result in more respect for the planning process. The debate should be started.

**GB:** Members will be receiving enforcement training in the near future. The issue is the proportionate use of enforcement.

**PT:** as DW said, St George's Drive is not the only place where this issue occurs. We need to have the discussion.

**98. 16/02132/FUL Municipal Offices (war memorial)**

Application Number:	16/02132/FUL		
Location:	Municipal Offices		
Proposal:	Erection of war memorial interpretation board		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	0	Update Report:	None

UJM introduced the application as above, the interpretation board to be mounted on a Forest of Dean stone stand to the front of the Long Gardens, providing a brief history of the work on the war memorial.

**Member debate**

**KS:** will support the application but finds these interpretation boards irritating clutter. They always look nice and fresh to begin with and then deteriorate, with no resources available to

keep them looking nice. Is there no technological way to provide the information, that won't become an eyesore in ten years' time?

**SW:** agrees with KS, and has an additional concern. If the stand is to be Forest of Dean stone, cannot support the proposal – it should be Cotswold stone.

**PT:** agrees, and would ask that it be kept in a reasonable state. It is right in front of the Municipal Offices, and it should be possible for it to be kept clean. It is a good thing that people will be informed about the war memorial, however, as not everyone has access to computers.

**KH:** doesn't care what stone is used for the plinth, but a QR code shouldn't be used – no-one ever uses them.

**MC:** it's essential that the war memorial and what it represents is kept up together, and is glad that this work is being done. Is also not concerned about what stone is used, but permission should be granted and it should be kept looking nice.

**UJM, in response:**

- the reason for the Forest of dean stone for the plinth is to match the railings and the stone within the memorial.

**SW:** if the stone is yellow in colour, will have no objection; was concerned that it would be red stone. It's all about the colour.

**Vote on officer recommendation to permit**

13 in support

1 abstention

**PERMIT**

**99. 17/00017/FUL & LBC Shoreline Cottage, Back Montpellier Terrace**

Application Number:	17/00017/FUL		
Location:	Shoreline Cottage, Back Montpellier Terrace		
Proposal:	Proposed removal of a modern lean-to on the rear of number 8 Suffolk Square, erection of a two-storey rear infill extension to Shoreline Cottage		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	Permit		
Letters of Rep:	0	Update Report:	None

CS introduced the application as above, for an extension to a modern coach house to the rear of GII\* listed 8 Suffolk Square. Permission was granted for the coach house in 2012, after lengthy discussion, and planning permission and listed building consent are now being sought for a two-storey infill, following removal of the lean-to. It is at Committee at the request of Councillor Sudbury, who questions officers' conclusion that the proposal will have a harmful impact on the conservation area and the setting of the listed building. Neither Historic England nor the conservation officer consider the scheme to be acceptable, for the reasons set out in the officer report.

**Public Speaking****Mr Peter Pritchard, applicant, in support**

Conservation officer, planning officer and Historic England have all objected to this application on two grounds. Firstly because of the adverse impact on the rear of No. 8 Suffolk Square, and Grade II listed building, describing it as substantial, modern, large, unwieldy, disjointed, not subservient, with an impact on the appearance of 8 Suffolk Square which would be considerable and detrimental, and transforming the size and mass of the Coach House. In reality, the infill can hardly be seen, and entirely complements Shoreline Cottage, which itself totally blends in, architecturally and aesthetically. Both Historic England and CBC admit that the impact will be limited, and state that the infill will not impact negatively on the amenity of the surrounding properties – not loss of light or privacy. It therefore meets the criteria of Policy CP4. It is a small pretty extension to Shoreline Cottage, extending the character and scale of this model, traditional mews coach house, not damaging or detracting from the appearance of the listed building. The second objection is that the infill has a considerable detrimental effect on the conservation area. In reality, Back Montpellier Terrace is not attractive, but more a jumble of garage doors and fences, dominated by high brick and rendered walls. But for its situation between Suffolk Square and Montpellier Terrace, the lane would probably not be in the conservation area at all, or deemed of any architectural or historic value. No neighbours have objected, probably for this reason. Members have visited the site and seen for themselves. Cannot understand why the conservation and planning officers are so opposed to it and, apart from anything else, a new two bedroomed home will be created for future families. Shoreline Cottage and the extension meet every planning criteria of the Planning Act, and will enhance and promote the character and appearance of the conservation area, as the most attractive and historically sympathetic Coach House to be erected in the lane since the early 19<sup>th</sup> century.

**Member debate**

**KS:** has a couple of questions about the officer report. Officers consider the proposal will have a limited impact and yet be harmful but they don't say why. Will it be out of keeping? Is there nothing like it in the lane? The street has similar cottages to what is proposed all along it. Doesn't understand the leap. Realises this is professional officer advice, but why is this proposal so bad?

**PT:** seconds that. Doesn't understand why officers are so against this proposal. Is not sure, but on Planning View it seemed that the fire escape from the listed building leads to the back yard. What will happen to that? Is a new fire escape proposed?

**JP:** has difficulty with this application because he can see nothing wrong with it. When reading the officer report, noted the comments of the conservation officer and Historic England and carefully considered the officer recommendation to refuse. Supports the work of the heritage and conservation officer and of Historic England – they understand what makes Cheltenham special and work to preserve it. But in this case, the important aspect is the front of No. 8 Suffolk Square – it was built to demonstrate the wealth of its owners. The back of this, and other Georgian houses, however, is bland, with no architectural merit; the contrast between the front and the back is a telling piece of social history. Officers say that the size of the proposed extension is disproportionate, but does not agree. It is well designed and recessed. There is a distance between the cottage and the listed building; the roofline is maintained. It is a very well-considered application. We often see applications for extensions but don't know what the quality will be. Here we can be certain – Shoreline Cottage is exemplar. Conservation officers like to read buildings and see their history; this proposal will make no difference to the reading of this building. It is Grade II\* listed at the front, with an excellent extension to the back. Shoreline Cottage enhances the setting, and this proposal to infill the gap will have no amenity impact. Supports the proposal and will vote accordingly.

**CM:** agrees. Looking at the drawings, considers the extension flows and is in keeping. On site visit, noted that the buildings down the back lane are a mish-mash, though the front of the houses are uniform. This is a well thought out project; will support it.

**SW:** looked at Shoreline Cottage and the one at No. 7 – considers them wonderful coach houses, beautifully done. As JP has said, the backs of Regency buildings are not special and this is a classic. Can't say what is proposed is wonderful as it isn't built yet, but if it is as good as Shoreline Cottage, will have no complaint. The proposed extension will be set back, and no one will see it other than people standing at the front door. Is struggling to agree with officers here. Thinks a refusal would be unfair. Will vote in support.

**BF:** if a building is listed, thought that everything in the curtilage was listed too.

**CS, in response:**

- officers would agree that harm to the actual listed building is minimal; it is more about harm to the *setting*. The proposal will change the character of the cottage beyond that of a coach house, traditionally found at the back of Regency house;
- officers have conversations on a daily basis about protecting listed buildings; Members have talked about protecting the front, but of the back being less important; this is not what listed building consent is about. Every aspect of a listed building needs to be protected, as they all contribute to its significance and importance. It is important to remember this statutory requirement;
- Shoreline Cottage isn't curtilage listed as it is a modern addition, but it is in the conservation and within the setting of a listed building, permission for listed building consent is a statutory requirement;

**BF:** the cottage will be attached if permission is granted.

**CS, in response:**

- Yes, but it still won't be classed as part of the curtilage of the listed building.

**UJM, in response:**

- Members have asked what harm will be caused and how is this assessed. Officers use guidance from Historic England, whose planning practice advice notes asks all conservation officers to consider certain things – one of which is the cumulative effect of a proposal;
- CS has mentioned that Shoreline Cottage was granted consent in 2012, when officers felt that its size, form and mass was appropriate to the setting, making it a positive addition to the conservation area and the setting of a Grade II\* listed building;
- However, with the addition of the extension, this manifestly changes and goes beyond the scope of the previous consent, taking a step down in perception of the site;
- Both she and Historic England are concerned about this: Shoreline Cottage was a good addition in 2012, but the extension, although not huge, will completely alter it, and this is how it should be judged.

**PT:** has not had a response to her question about the fire escape - is it necessary, or will it be blocked off?

**CS, in response:**

- It is safe to say that the exit will be blocked off, and this is not an issue for access to the building as the plot is divided.

**PT:** agrees with the previous speakers and cannot understand Historic England's comments that the density will be substantially altered. The applicant has tried to make the extension

subservient; it is not vast, but described as being substantial – though it is in fact a small extension, filling in a corner. Cannot see officers' point. Will support the proposal]

**JP:** it isn't a substantial additional. The footprint of the new extension is less than one-third that of Shoreline Cottage.

**UJM, in response:**

- Stands by her comments in the officer report, although these were mostly made at the pre-app stage and the extension as since been recessed;
- As a conservation officer, it still appears to be a substantial addition to a small building, as stated by Historic England.

**CS, in response:**

- Members have heard Historic England and the conservation officer's advice, but if they are minded to permit, it will need an informative on the decision notice to indicate that the planning authority considers the infill to cause 'less than substantial harm'.

**Vote on officer recommendation to permit**

6 in support

7 in objection

1 abstention

**NOT CARRIED**

**KS:** What conditions will be added to the permission ? Will building materials be specified?

**GB:** presumably all the usual conditions will be included.

**CS, in response:**

- Conditions will be the standard ones relating the drawing numbers, time periods, brick match with samples etc, and detailed design treatments.

**KS:** the key for success is to match the materials very closely to Shoreline Cottage. This is a listed building in a conservation area; it is a diverse road, but the success of this application relies on conditions.

**Vote on move to permit**

8 in support

3 in objection

3 abstentions

**PERMIT**

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

There were none.

The meeting concluded at Time Not Specified