

## Planning Committee

Thursday, 16th July, 2020

2.30 - 5.00 pm

Attendees	
<b>Councillors:</b>	Councillor Garth Barnes, Councillor Paul Baker (Vice-Chair in the Chair), Councillor Stephen Cooke, Councillor Diggory Seacome, Councillor Bernard Fisher, Councillor Dilys Barrell, Councillor Mike Collins, Councillor Alex Hegenbarth, Councillor Paul McCloskey (Temporary Vice-Chair), Councillor Tony Oliver, Councillor Simon Wheeler, Councillor John Payne and Councillor Rowena Hay
<b>Officers in Attendance:</b>	Gary Dickens (Planning Officer), David Oakhill (Head of Planning), Nick Jonathan (Solicitor) and Emma Pickernell (Senior Planning Officer)

### 1. Apologies

Apologies were received from Councillor Atherstone.

Councillor Baker welcomed back the Chair, Councillor Barnes, but confirmed that he would remain in the Chair for this meeting.

### 2. Declarations of Interest

Councillor Barrell declared an interest in item 6, 35 St Stephens Road.

### 3. Declarations of independent site visits

35 St Stephen's Road: Councillors McCloskey, Oliver, Cook, Payne and Seacome

20 Southfield Rise: Councillor Baker

### 4. Minutes of last meeting

The minutes of the meeting held on 18 June 2020 were unanimously approved and signed as a correct record.

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

### 6. 35 St Stephens Road, Cheltenham

#### Officer introduction

The Senior Planning Officer presented the application.

#### Public Speaking

Mrs Rebecca Bould spoke in objection, on behalf of 33 St Stephens Road Management Company Limited, particularly highlighting potential access issues and disruption during construction.

Mr James Griffin from Zesta Planning Limited spoke on behalf of the applicant in support of the application.

#### Members questions

In response to questions from Members the Senior Planning Officer confirmed that:

- There is no record of a previous application being refused
- A set of steps referred to were not shown on the site plan as they were on the other side of the building and not relevant to the application
- Although there is a preference for backland developments to have independent access, in this case access already exists and therefore officers consider the planned access to be acceptable
- The County Council is starting to recommend that there is an electric vehicle charging point. This is not always achievable but in this case it is a sensible proposition to attach this as a condition.
- Works will be required to the existing brick wall at the rear of the parking area of 33 St Stephen's Road and there is a condition on for a construction method statement and a boundary treatment condition.
- There are 8 flats in 33 St Stephens Road.

Member debate

- Support for the design
- Concern regarding access

Vote on officer recommendation to permit

8 for

3 against

1 abstention

PERMIT

## **7. Travis Perkins**

### **Officer introduction**

The Head of Planning presented the application.

### **Public Speaking**

Mr Adam Cornish spoke on behalf of the applicant in support of the application.

Councillor Horwood spoke in objection, particularly highlighting the impact on residents of Mead Road of increased HGV traffic and the increased height of the new buildings. Councillor Horwood also drew attention to residents' objections and to the architects' panel objection.

### **Member questions**

In response to questions:

- The Highways Officer confirmed he is satisfied that the re-development has no detriment or impact to highway safety. In considering this it is recognised that there is no change of use as it is currently a builders' merchants and will continue to be so, with not much more demand. Equally relevant is that there is a significant reduction in gross floor area which could result in reduced levels of traffic movement.
- It was confirmed that the additional storage and racking is factored in to the gross floor area

- It was confirmed that there are currently no conditions to limit the number of HGVs moving on and off the site and the Highways officer is not concerned that there will be a significant increase.

#### **Member debate**

- Concern about the overall appearance and increased height of the new buildings
- Concern about inevitable increase in numbers of HGVs, particularly given increased storage capacity, using narrow, residential roads with tight turnings
- Recognition that increased storage space may be more efficient and reduce the number of HGV deliveries
- Supportive of one way system for HGVs

Head of Planning confirmed that:

- There is an apartment building directly adjacent to the site which is just over 8m in height. The proposed building which would be next to the apartment building will be 8.5m in height, stepping up to a building further away which is 9m in height. Officers therefore found that the proposed building is an acceptable height.
- There is a proposed condition which restricts deliveries to Monday to Friday 7am – 6pm and Saturday between 8am and midday

Vote

For: 11

Against: 1

PERMIT

## **8. 20 Southfield Rise**

### **Officer introduction**

The Planning Officer presented the application

### **Public Speaking**

Mr Mike Spink, who lives in the next door property, spoke in objection to the application. Mr Spink pointed out that his property has a large window which faces south, towards the boundary with no 20, which is not shown on the plans and that the application doesn't adhere to the 25 degree guidelines with respect to this window. He also feels that a full-house height extension would be an overbearing physical presence and he also has concerns about the plans for a basement and the consequent disruption in terms of noise, mess, dirt and damage during the excavation.

Mr James Griffin from Zesta Planning Limited spoke in support of the application. He confirmed that light tests have been applied and that development successfully passes the 45 degree test. It only fails the 25 degree test on a secondary side window to a room already served by two alternative windows.

### **Members questions**

In response to questions the Planning Officer confirmed that:

- The secondary window fails the light test by a significant amount but the patio doors are unaffected. It is officers' view that where there are two different light sources to the same room and one is unaffected, the impact on light in to the room is considered to be acceptable, taking in to account the scale and size of the room
- The window in the other room shown in the photographs does pass the 45 degree light test

- Due to Covid-19 restrictions, neither planning nor tree officers were able to visit the site and used satellite imagery to see where the trees are. There is a tree protection plan condition given the distance to the rear boundary that the tree will survive with appropriate mitigation measures.

#### **Member debate**

- There was support for the basement
- There was concern about the failure of the light test on the south facing window which from a practical point of view could be considered as the primary source of light
- There was concern about the size of the extension and the consequent substantial affect on the amenity of the neighbour
- There was concern that members were not able to do a site visit

After consulting with the Legal Officer, the Head of Planning reminded Members that, given they were unable to do a site visit, if they don't feel they are in a position to make a definitive judgement on the information before them the options are that they don't vote or defer to try and arrange a site visit or for the officer to take more photographs. Members must be comfortable that they have enough information to make a decision.

The Legal Officer asked each Member if they had sufficient information before them in order to be able to make a decision on this application.

The meeting remained quorate and a vote was therefore taken.

Vote:

For:	3
Against:	7
Abstentions:	2

The Chair proposed that the rejection is based on CP4 local plan policy and JCS policy SD14 which both relate to impact on neighbouring properties. The Planning Officer will constitute a refusal reason and send to the Chair and Vice Chair.

The Chair moved to a vote on refusal:

Vote:

For:	9
Against:	0
Abstentions:	3

**REFUSED**

## **9. Appeal Updates**

As noted in the report.

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

There was no other urgent business which requires a decision.

Chairman