

## Planning Committee

Thursday, 18th November, 2021

2.30 - 5.30 pm

Attendees	
<b>Councillors:</b>	Councillor Garth Barnes (Chair), Councillor Paul Baker (Vice-Chair), Councillor Barbara Clark, Councillor Bernard Fisher, Councillor Tony Oliver, Councillor John Payne, Councillor Richard Pineger, Councillor Diggory Seacome and Councillor Simon Wheeler
<b>Officers in Attendance:</b>	Claire Donnelly (Planning Officer), Nick Jonathan (Solicitor), Emma Pickernell (Senior Planning Officer), Lucy White (Senior Planning Officer) and Andrew Robbins (Interim Head of Planning)

### 1. Apologies

Cllrs Fifield and McCloskey sent apologies. There were no substitute members.

### 2. Declarations of Interest

Cllr Oliver declared that his daughter and partner were part of the Management team at Pittville Campus, so would not take part in item 5e.

Cllr Clark declared that she would be speaking on behalf of the residents of Grosvenor Place South in item 5g, so would speak and leave the room.

Cllr Payne declared that part of Pittville Campus was in his ward and that he sat on the Liaison Group with the university, but confirmed that this application had not been discussed.

All members knew the applicant of 5c as he was a Member of the Cabinet.

### 3. Declarations of independent site visits

Cllr Clark has visited 5a, b, d (from the street), e, f and i

Cllr Oliver has visited 5a, b, d, f and i and has previously visited c, g and h

Cllr Payne has visited 5a, b, d, h and i and has previously visited c, e and g.

Cllr Baker has visited 5a, b,d,f,g and i

Cllr Pinegar has visited 5a, b, d, e, g, h and i

Cllr Fisher has visited 5a, g and i.

Cllr Seacome has visited 5b and 5d.

### 4. Minutes of last meeting

The minutes of the meeting held on 14<sup>th</sup> October were approved unanimously 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. 20/00749/FUL Manor Farm, Church Road, GL51 9RB

Senior Planning Officer, Lucy White, introduced the report relating to the demolition of redundant outbuildings and construction of four dwellings on land that formed part of the Manor Farm group of residential and agricultural buildings in Church Road, Swindon Village.

The application was before Committee due to objections received from the Parish Council and Civic Society.

There were no speakers on the item.

In response to a Member question regarding the height of surrounding fences, the Planning Officer informed Members that the detail of appropriate fencing would be considered at a later stage and formed part of the landscaping suggested condition.

The Chair went to the debate where the design of the scheme was questioned as not being the best and not in keeping, however design was subjective and another member had a different view. Concern was expressed regarding flooding in this area with the nearby Wymans Brook which had recently been upgraded to a major water course and the fact that foundations had not been raised to a better height to prevent flooding. Another member praised the Officers on the new revamped design and felt the reduction in the number of dwellings from 5 to 4 was positive and was happy with the additional conditions including the landscaping.

In response to the flood issue, the Planning Officer confirmed that the floor levels had been set appropriately and the footprint of the dwellings were within Flood Zone 1 and both the Environment Agency and Council's Drainage Officer considered this to be an acceptable scheme.

There being no further questions or comments, the Chair moved to vote on the Officer's recommendation to permit.

**FOR : 8**

**AGAINST : 1**

**ABSTAIN : 0**

**PERMITTED**

#### **7. 21/01447/FUL Lypiatt House, Lypiatt Road, Cheltenham GL50 2QW**

The Planning Officer, Claire Donnelley, introduced the report relating to the construction of a single storey carport and garage building with pitched roof to Lypiatt House, Lypiatt Road. The application was retrospective and before Committee due to an objection from the Civic Society.

There were no speakers on the item.

In response to Member questions, the Planning Officer confirmed that what was there at the moment was being changed as Officers did not consider the design to be suitable and if approved, the changes as per the submitted proposed elevations would have to be completed within 5 months. It was also confirmed that after discussion the applicant wished to retain the front elevation as it was, so with timber frame and timber doors and Officers felt that given the other changes made, this would be acceptable. The building was not a listed building.

During the Member debate the Chair stated that he and the Vice Chair asked for this item to come to the Committee rather than a delegated decision, as they were not happy with the rural design and the look of the door and the hinges being out of keeping.

There was concern among Members as to the design and whether the doors suited the elegance of the building. Painting the doors could be an improvement. Members took offence to the statement in the application that this would keep people in employment as it was a garage. The alterations were made without consent and retrospective permission should be looked at as a new application. If this was a new application it would not be supported. It was stated that the proposed changes were not in keeping with the building

and area. Whereas there was acknowledgement that the hotel itself may have suffered during Covid and sympathy for the business that was not a reason to grant permission. A proposal for deferral was put forward as the applicant had been amenable and it was a huge waste to pull things down if a compromise on the frontage could be made.

The Officer advised that a motion for deferral would be required and the committee needed to be specific with the choices of either removal of the front doors or to paint them white. Members thought that although painting would be acceptable removal would be better.

The Chair moved to vote for deferral:

**FOR : 7**

**AGAINST : 2**

**DEFERRED**

**8. 21/01464/LBC Hampton House, Shurdington Road, Cheltenham, GL53 0NH**

The Planning Officer, Claire Donnelly, presented the report, which related to the replacement of three lost windows and stable doors, a lost floor and front door at Hampton House, Shurdington Road, Cheltenham. It was a Grade 2 listed building and was before the Committee because the applicant was a member of the Council. The Officer recommendation was to refuse.

The Interim Head of Planning, Andy Robbins, added that there were aspects of the application which Officers had no issue with, including the reintroduction of the stable doors and the implementation of the front door. They also had no objection in principle to the three windows, but were not happy with the form of glazing proposed. The applicant proposed double-glazing within historic openings, but the Conservation Officer's view was that this would require wider profile timber work and have different reflective qualities. In a building of this period, a single-glazed design would avoid causing this issue.

Speaking in favour of the application, Cllr Horwood thanked the Head of Planning for his contribution. He emphasised that while the building was not accommodation, it was used for storage and as a workshop and as such, he was often in there for hours on end. Some councils were now permitting double-glazing on listed buildings. He pointed out that the building was not part of the house that had the listed status, but was added much later and only had the status because it was within its boundaries. It was only visible to a couple of neighbours, for whom the impact would be minimal. Secondly, planning guidance balanced merits against harm to heritage assets. This did not apply in this case as no harm was being done. The original windows had been gone for over 50 years and were covered with wood or plastic. Replacing them with quality windows would be a huge improvement. He concluded that the recommendation to refuse was not necessary, sensible or desirable, and that the application would make the building both greener and more beautiful.

In response to Member questions, the following responses were given:

- It was not possible to say exactly when the building was built, nor exactly how its original windows looked, but it was clearly of some age.

The Chair moved to the debate and Members made the following comments:

- There was a clear environmental reason to allow the double glazed windows, to aid insulation and reduce heat loss.
- Double-glazing was now the norm, and to require single glazing would be a step backwards.
- The proposed changes would have minimal impact, and the reasons to refuse in the report were unduly harsh.

- The building was not of any particular significance and was not exactly attracting visitors.
- Conservation concerns needed to be balanced with environmental concerns.

There being no further comments, the Chair moved to vote on the Officer's recommendation to refuse.

**FOR : 0**

**AGAINST : 9**

**ABSTAIN : 0**

The Chair moved that the application be approved, subject to conditions on materials which the Planning Officers would oversee. The Head of Planning advised wording this as 'and other such design details as required'.

**FOR : 9**

**AGAINST : 0**

**ABSTAIN : 0**

**GRANTED unanimously**

#### **9. 21/01591/FUL 52 Fairfield Parade, Cheltenham, GL53 7PD**

The Planning Officer, Claire Donnelly, presented the report, which related to rear extensions and internal alterations at 52 Fairfield Parade, Cheltenham. It was deferred at the last meeting to allow members to carry out their own site visits, and was at the committee at the request of Cllr Maughfling.

Speaking against the application, Jonathan Bardgett, who lived next door, thanked the committee for taking the time to consider the application again. He stood by his previous statements regarding the impact of the application, and his request that members make a modest amendment that would still allow a considerable extension for neighbours. There were ample planning grounds to make this amendment: the proposal was overly dominant, out of keeping and scale with the surroundings, would alter ambience and light internally and externally, adversely impact the symmetry of the buildings, and set a precedent for overly modern extensions. As a neighbour undergoing a long period of convalescence after major surgery, to reduce the amenity of the garden would adversely affect his quality of life. He asked that the length of the extension be restricted to the same size as the existing one next door.

Speaking against of the application, Cllr Guy Maughfling thanked the previous speaker for his contribution, which he described as good NIMBYism. The proposed extension would block off a significant part of the neighbour's garden with a clear adverse effect on neighbour amenity. College ward was a lovely part of the town and was subject to a large number of planning applications. It was important to resolve disputes resulting from these in an amicable way. The objector was not asking for the application to be struck down entirely, but was offering a reasonable solution that would suit all parties, and for this reason, he wholly supported his objection.

The Chair moved to the debate and Members made the following comments:

- It was useful that members had had extra time to visit the site.
- The application complied with the light test and the windows were securely glazed.
- The properties were well orientated, with the afternoon and evening sun hitting the bottom of the gardens.
- The lack of symmetry would lead to a lopsided look, and it must be possible to find a solution to this.

- There were reasonable arguments on both sides but any decision had to be made on clear planning grounds, and there were not clear planning grounds to refuse it. There would be no loss of privacy, and it being slightly less pleasant for neighbours was not enough to justify refusing on grounds of loss of amenity.

There being no further comments, the Chair moved to vote on the Officer's recommendation to permit.

**FOR : 7**

**AGAINST : 0**

**ABSTAIN : 2**

**GRANTED**

### **10. 21/01696/FUL Pittville Student Village, Albert Road, Cheltenham GL52 3JG**

The Planning Officer, Lucy White, presented the application, which related to the temporary dual use of up to 205 bedrooms for either student accommodation (C1) or serviced apartment accommodation (Class C1) for an 18 month period commencing in August 2021 at Pittville Student Village, Albert Road, Cheltenham. It had been brought to committee at the request of Cllr Fifield due to the lack of parking provision and the subsequent effect on residents. The Officer recommendation was to permit.

Speaking in favour of the application, Catherine Hoyte stressed that the university recognised residents' concerns. Any lettings would be managed by the university and travelling by car would be discouraged, with individuals pointed towards public transport. The university had committed to making 75 spaces available between 6pm and 8am. These would not be commercial, but would include visiting lecturers and students from other institutions. She emphasised that the university's commitment to the protection of neighbouring amenity would continue, and they would work with local groups to identify problems. The university took complaints seriously and worked to address them when they occurred. The project was temporary and could be monitored throughout. The way we all lived, worked and studied had changed, and the university needed to be flexible to respond to these circumstances.

In response to Member questions, the following responses were given:

- Dual use referred to the filling of accommodation not taken up by students during the academic year, as well as during the summer breaks. Students would be offered the accommodation first and unused rooms would be let out. This also included things like conferences and summer schools during the summer break, and only involved accommodation and not things like lecture halls.
- All University of Gloucestershire students who lived in student halls of residence managed by the university were not allowed to bring cars to the town. Any parking issues raised at the Community Liaison Group meetings were largely caused by cars not owned by students. There was also restricted or no parking in nearby streets.
- The site would continue to be managed by the university, who were also responsible for marketing the dual use accommodation.
- There was no dedicated coach parking on site, but drop-offs would be possible. It was up to the university to explore dedicated coach parking, the highways authority did not consider this.
- 100% of the rooms would be offered to students first each academic year, and only those rooms that were not taken up would be let out.

The Chair moved to the debate and Members made the following comments:

- This was a sensible use of unused space. Some students did not want to live in university accommodation and this accounted for that choice.
- The application would attract more people to the town.
- The application raised the question of why so many rooms were not taken up by students. The accommodation was very expensive (a single bedroom was £130 a week and a studio was £203 a week) so students were turning to the private sector. The Planning Officer noted that this was not necessarily due to the price, and suggested that the pandemic was the primary factor. More students were choosing to stay at home or go to university in their local area.
- Parking had always been an issue for residents, with lots of students parking in the Pump Room car park for example. This was due to it being exceptionally difficult to park near the campus.
- The application was only for 18 months, so any issues could be monitored over that time.
- It would be better to keep the university in control rather than buy-to-let landlords.
- They must avoid the incentive to price students out of the rooms in order to attract racegoers. The Head of Planning reiterated that rental prices were not a matter for Planning Committee. Restricting occupancy on a seasonal basis would need a clear planning reason.

There being no further comments, the Chair moved to vote on the Officer's recommendation to permit.

**FOR : 7**

**AGAINST : 0**

**ABSTAIN : 1**

**GRANTED**

#### **11. 21/01746/FUL 271 Gloucester Road, Cheltenham GL51 7AA**

The Planning Officer, Claire Donnelly, presented the report relating to the demolition of an existing dilapidated coach house and construction of a new coach house to be used as an annex ancillary to 271 Gloucester Road. The application was before Committee due to an objection from the Civic Society and at the request of Cllr Baker.

There were no speakers for this item and no questions from Members, so the Chair moved to debate, during which the following comments were made:

- Objections not acceptable as bricks will eventually become porous, but if brick work could emulate more what was being demolished that would be more acceptable.
- The coach house was built before the house and was a very nice building but the fact it had not been looked after was not a reason to demolish it. Heritage should be preserved.
- There were no planning grounds to refuse this application, but a shame owners could not see the historic significance of the building and restore it and a shame it can be knocked down.
- A loop hole in planning regulations that an old historic building such as this can be knocked down.
- Unfortunate that planning laws and tax regulations encourage demolition as VAT can be saved if demolished.
- A member questioned why there were not any planning laws to protect such an old building. The Planning Officer replied that the main house was locally listed but it did not extend to the coach house and permitted development allowed for demolition as it was not within a conservation area. In order for the demolition to be permitted development, the applicant would need to inform the council of their method of demolition but otherwise there was no restriction. The rebuild required planning

permission so this together with the demolition had been submitted as one application.

The Head of Planning confirmed there had not been an oversight with regard to the listings and that the coach house had been deemed to not be of such importance to be nationally listed.

There being no further comments or questions the Chair moved to vote on the Officer's recommendation to permit.

**FOR : 5**  
**AGAINST : 2**  
**ABSTAIN : 2**

**PERMITTED**

**12. 21/01815/FUL Lidl Foodstore, Grosvenor Terrace, Cheltenham GL52 2SA**

In the absence of Planning Officer, Victoria Harris, the Interim Head of Planning, Andy Robbins, introduced the application relating to the change in use of an existing supermarket to a self-storage business use at the former Lidl food store in Grosvenor Terrace. This application was deferred at the last meeting because of the design of the proposed office building and the impact on the amenity of neighbours and the long opening hours. The applicants had amended their scheme and proposed a flat roof structure instead of a shipping container; on the same footprint and with a mixture of materials. The applicant had also amended the opening hours to 8am – 6pm Monday to Saturday and 10am – 4pm on Sundays, which put their hours of operation in line with other similar businesses and those of the High Street which should reduce the impact on neighbourhood amenity.

Mr Richard Lanyon spoke on behalf of the applicant in support of the application stating they had taken on board the concerns of the committee and had reduced the hours and amended the design. He said they were different to other out of town self-storage facilities and catered for residents and small businesses alike, based on local convenience and did not have noisy lorries. He pointed out that they were situated next to a car park anyway. The Lidl space was redundant so they were investing in an empty space which had been subject to anti-social behaviour whilst empty, and reoccupying the site would help prevent this. He said the new usage would create employment and regenerate this area.

Cllr Barbara Clark, ward councillor, spoke on behalf of the residents stating they were pleased about the conditions attached to change in use. She requested confirmation that the opening times were 10am - 4pm on Sunday and wished it recorded that no container would be used for office space and that the opening hours were reduced to mirror other similar businesses. She also requested a condition be attached that the unit would never become, under this change of use, a distribution centre for other large businesses such as Amazon. She concluded that although not happy, the residents were satisfied with the planning conditions and thanked the Planning Officers. Cllr Clark then left the Chamber.

The Interim Head of Planning corrected his error and confirmed Sunday opening was from 10am and not 9am as he had inadvertently said.

In reply to a question about the Lidl frontage, the Officer confirmed there would be no changes to the very front of the building other than signage which would be changed.

During the debate, a member congratulated the applicant and Planning Officers and cited this as a good example of planning, where discussion and amendments had resulted in an application that could be supported.

Another member thought it was a lost opportunity for the Council to regenerate this part of the town with some flats and town houses as it was Council land.

There being no further comments or questions, the Chair moved to vote on the Officer's recommendation to permit.

**FOR : 7**  
**AGAINST : 1**  
**ABSTAIN : 0**

**PERMITTED**

**13. 21/02102/CONDIT Homelea Farm, Springbank Road, Cheltenham GL51 0LT**

The Planning Officer, Claire Donnelly, presented the report relating to a variation of condition 1 of the planning permission, to extend the temporary permission for a further two years.

There being no questions or comments, the Chair moved to vote on the Officer's recommendation to permit.

**FOR : 9**  
**AGAINST : 0**  
**ABSTAIN : 0**

**GRANTED unanimously**

**14. 21/02038/FUL 320 Swindon Road, Cheltenham Glos GL51 9JT**

The Planning Officer, Emma Pickernell, introduced the report relating to the demolition of all existing buildings and the erection of 24 dwellings and other associated works at 320 Swindon Road otherwise known as Mauds Elm. The application was before committee as the site applicant was Cheltenham Borough Homes.

There was one public speaker in support of the application, Alison Salter, as a representative from Cheltenham Borough Homes. She stated that the site was currently a derelict site which had been subject to anti-social behaviour and arson. They were hoping that by renovating this site it would breathe some life back into the area and provide quality affordable housing.

In response to a Member question regarding the tightness of turning at the mini roundabout in the vicinity, the Interim Head of Planning explained that this was not related to the proposal and there was no evidence to suggest that it would affect the development.

During the debate Members praised the development as an exemplar design that should be used for future developments. There were concerns raised with regards to the method of construction that could be greener and the Officer confirmed that Cheltenham Borough Homes would explore the use of the materials to be used.

There being no further questions or comments, the Chair moved to vote on the Officer's recommendation to permit.

**FOR: 9**  
**AGAINST: 0**  
**ABSTAIN: 0**

**PERMITTED unanimously**

**15. Appeal Updates**

Noted.



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

There were none.

Chairman