

Planning Committee

Thursday, 19th May, 2022

6.00 - 6.50 pm

Attendees

Councillors: Councillor Paul Baker (Chair), Councillor Garth Barnes (Vice-Chair), Councillor Barbara Clark, Councillor Bernard Fisher, Councillor Tony Oliver, Councillor John Payne, Councillor Diggory Seacome, Councillor Simon Wheeler, Councillor Glenn Andrews, Councillor Adrian Bamford and Councillor Emma Nelson

Officers in Attendance: Claire Donnelly (Planning Officer), Michelle Payne (Senior Planning Officer), Emma Pickernell (Principal Planning Officer), Cheryl Lester (Solicitor), and Liam Jones (Head of Planning)

1. Apologies

The newly-elected Chair, Councillor Baker, welcomed new Members to the Planning Committee, and thanked Councillor Barnes, the outgoing Chair, for all his work over the years. He said he would aim to chair meetings in the same fair way.

There were no apologies for absence at the meeting.

2. Declarations of Interest

Councillor Fisher declared an interest in 5c in that he attended a Council trip with the applicant that is also a Council officer, but he was happy he could still participate in the item.

3. Declarations of independent site visits

Councillor Nelson visited 5c (113 Church Road) and 5d (60 St George's Place).

4. Minutes of the last meeting

The minutes of the meeting held on 21st April had been circulated, and were approved and signed as a true record of the meeting.

5. Planning Applications

6. 21/025267/CONDIT Car Park Chester Walk

The Senior Planning Officer introduced the application, which proposed amendments to the previously-approved scheme – primarily alterations to the lay-out and ground floor plan to accommodate a sub-station, and alterations to windows and doors. She confirmed that the elevation facing the rear was the most changed, and the key element for Members was whether the amended scheme would have any additional harmful impact on neighbouring amenity of on the adjacent historic Minster. The recommendation was to approve, with a similar schedule of conditions to the permitted scheme.

Member questions

In response to Members' questions, the officer confirmed that:

- there had been some confusion with the provisions of the previous permission regarding the windows to the west elevation which were required by condition to be fixed but not obscure-glazed. The revised scheme could include a condition requiring a privacy film be applied to the windows, to prevent any over-looking of the properties to the rear and protect residents' amenity;
- the mesh on the full-length windows was proposed on the previously-approved plans, to a higher degree than what was proposed now;

- regarding the proposed poly-carbonate cladding and whether this met all UK and European fire-safety standards, this was not specifically considered as part of the application – it was a matter for Building Control;
- the lime trees in the vicinity were not subject to TPOs, but were protected in that they were in a conservation area and maintained by the council. The trees officer was happy with the proposal, taking into account the proximity of the proposed building to the trees. It was not necessary or reasonable to attach a condition requiring the trees to be made subject to TPOs, which would be a separate process, but the Member who expressed a concern could follow this up separately if he required.

There was no further questions or debate on this item. The Chair invited Members to vote on the officer recommendation to permit, with an additional condition in respect of privacy film, which was recorded as follows:

For: 10

Against: 1

Abstain: 0

PERMIT

7. 21/02755/FUL Brecon House, Charlton Hill, GL53 9NE

Consideration of this application was deferred to a future meeting as since the publication of the report the applicant was in the process of submitting amended application plans.

8. 22/00501/FUL 113 Church Road, Leckhampton, GL53 0NY

The Planning Officer introduced the application, which proposed amendments to a previously approved scheme for a new dwelling to the rear of 113 Church Road. She confirmed that the principle was already established, and Members needed to consider the impact of the amendments with regard to design, impact on neighbouring amenity, highway safety, and impact on trees. The recommendation was to permit, with conditions.

Speaking in support of the application, the applicant, Mrs Sheldon, told Members that work started on the approved scheme in 2018, but that the extant plans had subsequently been revised to more thoroughly address issues of climate change. The design was highly sustainable, insulated to require minimal heating, partially constructed with timber and local Cotswold stone, and orientated to ensure all windows faced south-west for maximum solar gain. It proposed use of the latest technology, including air source heat pumps – there would be no gas supply – and represented a smaller carbon footprint than the previously-approved scheme, with two bedrooms and a bathroom in the upper storey roof space and larger garden. Specialists would be employed to best achieve a high-quality, environmentally friendly home, fit for the family's needs and 21st-century living. There were no objections from the neighbours.

Member question

In response to a Member's question, the case officer confirmed that she was not aware of any additional material submitted between 6th and 13th April which may have caused the Parish Council to change its position on the scheme.

Member debate

Members congratulated the applicants on the attractive design of the dwelling and attention to climate change. One Member commented that she could not understand why the Parish Council was concerned with garden-grabbing and loss of view from the footpath to Burrows Field – the proposal would not be visible.

The Chair moved on to the vote on the officer's recommendation to permit, which was recorded as follows:

For: 11 (unanimous)

Against: 0

Abstain: 0

PERMIT

9. 22/00530/FUL 60 St Georges Place, Cheltenham GL50 3PN

The Principal Planning Officer introduced the part-retrospective application the retention of and proposed alterations to extraction equipment. She confirmed that a new extraction pipe had been installed without planning permission, and that environmental health officers were currently investigating noise complaints associated with the equipment, but that a series of improvements were now proposed, in consultation with environmental health officers, which should result in a marked improvement. The impact on the conservation area and adjacent listed buildings would be minimal, with the proposed equipment less visible than the previous system, which would have to be removed for legal reasons. She said a number of conditions were attached to the recommendation to permit, including the requirement for a noise survey two months after the installation, and removal of the previous extraction system within six months.

Member questions

In response to Members' questions, the officer confirmed that:

- the legal requirement for the removal of the previous extraction equipment arose because the pipe overhung third party land to the rear of the building;
- a noise survey would identify noise levels from the new equipment, and further improvements may be required, but this was a separate environmental health process, not part of the planning process;
- many of the objections related to the situation at present, and measures designed to address these concerns had been raised.

Member debate

In debate, Members made the following points:

- this proposal represented a step forward – the old system was very ugly and noisy, and very close to residential property. Extraction was noisy, but could be silenced to a large degree, and it would be helpful if Members could receive a report from environmental health officers, after three months or so, to see how well the new scheme was working;
- the new extraction system may not be so visible from the road, but was still very much so at the rear, for the residents of St George's Tower and Latheram House. The amenity of these neighbours was most seriously affected by the noise, however; what would happen if the noise reduction didn't work? Would the restaurant have to close down? It was a difficult situation with both a long-established and successful business and the amenity of local residents at stake.

The Chair pointed out that officers could not be expected to report back on all conditions attached to planning permissions, but the case officer gave reassurance by stating that conditions were designed to build in a checking process and the technical advice of the environmental health officer would have to be taken on this – he had confirmed that further works would be requested on the system, regardless of the outcome of the planning process. The scheme had been considered on its merits, all appropriate safeguards were in place, and officers would get confirmation if the proposed scheme was successful. If it was not, there would be an opportunity to look at it again.

The Chair moved to the vote on the officer recommendation to permit, with conditions as set out. The vote was recorded as follows:

For: 8

Against: 2

Abstain: 1

PERMIT**10. Appeal Update**

Information on appeals lodged and decisions received since the last meeting had been circulated. The Chair recommended that new Members of Planning Committee make a point of reading the appeal decision notices, which give good insight into how appeals inspectors look at applications. A Member said it would be helpful if these were attached to the update going forward.

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

There were none.

Chair