

Planning Committee

Thursday, 15th December, 2022
18:00-19:10

Attendees

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

Officers in Attendance: Liam Jones (Head of Planning), Nikkita Hooper (Conservation Officer), Ben Warren (Planning Officer), Claire Donnelly (Planning Officer) Michael Ronan (One Legal)

1. Apologies

Apologies were received from Councillor McCloskey, Councillor Clark attended as a substitute.

2. Declarations of Interest

Councillor Clark declared an interest in 5a as a trustee of Cheltenham Trust and left the Chamber for that item and was therefore not present for the debate or vote.

Councillor Baker declared an interest on items 5b and 5c as he wished to speak on those items and therefore was not present for the debate or vote.

3. Declarations of independent site visits

Councillors Seacome and Oliver visited both sites.
Councillor Payne visited Cambray Court.
Councillor Bamford also visited Cambray Court.

4. Minutes of the last meeting

The minutes of the November meeting were approved and signed.

5. Planning Applications

6. 22/01855/LBC Cheltenham Town Hall, Imperial Square

The Conservation Officer introduced the case.

There were no Member questions and there was no Member debate.

The matter went to the vote on the officer recommendation to permit.

For – 10 UNANIMOUS
Permitted.

7. 22/00778/FUL Cambray Court, Cambray Place

The Planning Officer introduced the report.

The Chair ensured that all committee Members had seen the written representations that had been sent in by people unable to attend the meeting.

There were two speakers in the item the first being the Chair of the Planning Forum at the Cheltenham Civic Society. He made the following points:

- That the proposal would enhance the area and would be an improvement to the public realm.

- The plan is for a new waterside mini park which will be a private park for Cambray Court residents and a park for Cheltenham residents by using a small amount of the Rodney Road car park.
- To realise the plan the Council needs to declare public support of the site and in the long run the proposal should be cheaper for the residents.

Councillor Baker as the County Councillor for the area spoke on the application and made the following points:

- He explained that the application is within his County division and that he had engaged with The Civic Society and the residents at an early stage in the process.
- The River Chelt is a hidden treasure and not many residents or visitors are aware of it.
- The proposal would enhance the area and reduce flood risk, it would also help preserve the wildlife.
- There has already been planning permission for a different scheme approved for this area, that should be re considered and approve this current plan.
- The benefits of the proposal are that there will be a permeable hard standing, solar panels and electric vehicle charging points.
- There will be a small loss to the garages and public parking.
- Approval of this scheme will make the best of the River Chelt.

The matter then went to Member questions and the responses were as follows:

- The current dimensions of the garages are width 2.6m, depth 5.6m and height 2.6m. The proposed new garages will be as follows: width 2.7m, depth 5.3m and a pitched roof where the maximum height will be 5.4m.
- The green space that will be taken from Rodney Road is 3.7m.
- The height of the wall is to meet the height that is advised to meet climate change flood river levels.
- The previous scheme was permitted in 2021 with the condition that it be implemented in three years, which is the same as this application.
- Any legal matters amounting from the grant of this scheme are no a planning matter for consideration, they are a civil matter.
- There is a condition for landscaping within the scheme and that will include lighting.
- The maintenance of the site will be the responsibility of the owner of the land, in this case Cheltenham Borough Council and the owners of the flats.

The matter then went to Member debate when the following points were raised:

- There was concern raised regarding the loss in revenue to the authority due to the loss of parking at Rodney Road car park.
- The issue with possible flooding was raised although it was acknowledged that the Environment Agency were in support of the application.
- The previous planning application was a concern as to whether that would still go ahead and if it doesn't and the current application is approved the residents may be exposed to a flooding risk.
- There was a pint raised with regard to the risk of flooding and if the final decision should be based on that.
- The financial and legal issues were not for the planning committee to consider, it is an application that only the planning issues should be taken into account.

The Legal Officer then interjected and advised the committee that car parking revenue is not a planning material consideration, also, when it came to flooding the Members needed to make their decision on the information that they have been provided with. The Head of Planning also stated that the last scheme that was approved can still be implemented and it is not the committees decision which plan is implemented first. The Environment Agency have given their opinion and that needs to be taken into account.

Following that information the debate then resumed:

- The people with the most to lose at the premises are those that own garages on the site. The amenity would be negatively affected.
- In planning terms it is an attractive scheme, whether the residents like and approve them is another matter.
- There is no doubt that the tenants of Cambray Court will have a major impact on the scheme, need to remember that financial issues are not within the committees remit.

The matter then went to the vote on the officers recommendation to permit:

For: 7

Against: 3

PERMIT

8. 22/01990/FUL 20 Southfield Rise

The Planning Officer introduced the report as published.

The Chair then ensured that the Committee had seen the representations that had been sent in from people who were unable to attend the meeting.

There was only one speaker in the item Councillor Paul Baker.

He made the following points:

- He stated that he was involved in the case due to the concerns of the neighbour.
- There has been conflict between the neighbours but hopefully good relations can return.
- This is a retrospective application as the extension that was previously approved was not built and this application does reflect the extension that was built.
- During site view it was possible to see the extension and understand its impact.
- The extension no longer has a first floor rear extension and as a result the application does not fail the light test.
- The conversion of the property is significant and been completed to a high standard.
- The extension does result in some loss of light for the neighbour and it does result in some loss of outlook which means there is conflict with the Cheltenham Local Plan Policy SL1 the amenity of adjoining land users.
- The conflict with the neighbour has meant that the builder has not been able to do a very good job of the brickwork, which looks a little unsightly from the neighbours side.

There were no Member questions.

The matter then went to debate and the following point was made:

- There is less loss of light to the neighbour than the previous application, therefore there is a better outcome for the neighbour.

The matter then went to the vote to permit:

For: 9

Against: 0

Abstentions: 1

PERMIT

The Chair then thanked officers for all their hard work during the year.

The next meeting is the 19th January 2023.

9. Appeals Update

Were noted for information.

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

There were none.

Chair