

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 15 August 2024

Meeting time: 6.00 pm - 7.15 pm

In attendance:

Councillors:

Frank Allen, Glenn Andrews, Paul Baker (Vice-Chair), Adrian Bamford, Garth Barnes (Chair), Barbara Clark, Jan Foster, Tony Oliver, Simon Wheeler and Suzanne Williams

Also in attendance:

Tracey Birkinshaw (Director of Community & Economic Development), Chris Gomm (Head of Development Management, Enforcement and Compliance), Victoria Harris (Planning Officer), Michelle Payne (Senior Planning Officer), Michael Ronan (Lawyer) and Ben Warren (Planning Officer)

1 Apologies

Apologies received from Councillor Mutton.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

Councillor Oliver visited North Place car park.
Councillor Andrews visited 6a and 6c.

4 Minutes of the last meeting

Minutes of the meetings held on 30 May and 13 June 2024 were approved and signed as a true record.

5 Public Questions

There were none.

6 Planning Applications

6a 24/00607/FUL 5 Bala Road (various properties)

The planning officer introduced the report as published.

There were no public speakers on the item.

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

- The planning officer did not have that level of detail as Members were concerned about the quality of the render that would be used, as they had observed similar materials deteriorating quickly in other properties. However, the planning officer explained that through condition 3 this could be looked at and details shared with the Chair and Vice Chair.
- A question was asked to the applicant whether the owners of the houses that had been purchased could be approached to have works carried out simultaneously at their own expense. However, the applicant was not present and no response was received.
- The planning officer explained that they did not have the level of detail regarding the render and cladding as to whether it would have the potential to make the properties too hot.

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

- Member highlighted that this is the second stage as properties have already had this work completed in Dinas Road and that residents in Gwernant Road have been chasing when this work will happen and that the member will support this application.
- In Hesters way a number of properties appear to have had this work done and been finished in the same way and works well.

The legal officer reminded the committee that they should not duplicate existing regulatory regimes, such as those governing the safety of cladding and fire ratings. The role is as local planning authority and the applications need to be addressed in that context.

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

For: Unanimous

6b 24/00973/FUL 15 Hillfield

The planning officer introduced the report as published.

There were no public speakers on this item.

There were no member questions or debate.

The Chair clarified that the application was at committee as Cheltenham Borough Council owns the property.

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

For: Unanimous

6c 24/00236/FUL Car Park North Place

The planning officer introduced the report as published.

There were two public speakers on the item; an objector and the applicant in support.

The Chair of the Cheltenham Civic Society in objection addressed the committee and made the following points:

- The Cheltenham Civic Society supports the principle of redevelopment of the site for housing. Although this scheme is below the standard for a town like Cheltenham. Objections relate to the detail of the proposal.
- The site is a prominent location, important in the central conservation area and is surrounded by several impressive listed buildings.
- The proposal fails to comply with S72 of the Planning Listed Building and Conservation Area Act 1990 as it does not pay special attention to desirability of preserving or enhancing the character or appearance of the conservation area. The plans fails to make reference to neighbouring buildings such as the Grade II* listed St Margaret's Terrace. Instead the proposed development has lacklustre architecture, poor proportions, cheap detailing, weak terraced housing and ugly, monolithic block of flats. The scheme could be built anywhere and has no reference to the town's design history.
- The density of the development is too low at 114dph when compared to other developments around the town centre. This site should be developed with buildings at least five storeys high adding to Cheltenham's housing stock, improving the provision of affordable housing, enhancing the profitability of the scheme and improving the architectural setting of this important site. Unable to see why Cheltenham Borough Council's minimum threshold of 20% affordable housing cannot be met.
- Sustainability is not at the heart of the proposal as it should have been.
- The scheme will be dominated by moving and parked vehicles. There is insufficient parking provision for future residents, which will impact neighbouring streets. Parking should have been provided in an undercroft as seen in other developments in the town.
- The strip between the rows of houses may look attractive. However, it presents problems of continual maintenance. The boundary with Northfield Passage is also poorly defined and will suffer similar problems.
- More trees are needed, including street trees within the scheme, a characteristic feature of Cheltenham and a requirement of the NPPF. Instead

one existing tree in St Margaret's Road is to be removed against the tree officers advice.

The applicant then addressed the committee in support and made the following points:

- The applicant introduced himself as the Managing Director of Wavensmere Homes who co-own the North Place car park with BBS capital.
- The development proposal is for 147 dwellings, comprising of 75 three bedroom townhouses and 72 one and two bedroom apartments. This diverse housing mix is designed to meet the needs of the local population.
- The design has evolved through extensive feedback from stakeholders and consultees. The site has a history of unfulfilled plans, with the Council first earmarking it for sale in 2008. This has resulted in learning from this and the application has been revised to address these concerns. The apartment blocks massing has been reduced, improved pedestrian and cycle access and enhanced public and private amenity spaces, ensuring the design respects the nearby Grade II* St Margaret's Terrace.
- The scheme offers an opportunity to restore street scene, improving the site's poor condition which negatively impacts the conservation area and nearby heritage assets. The redevelopment will enhance the areas character as highlighted in the officer report.
- The development addresses critical housing needs as the lack of a five-year housing supply is well known.
- The commitment to sustainability is evident in the design which aligns with the SPD climate change policy. Energy efficiency has been prioritised through a fabric first approach, aiming for EPC A ratings for the townhouses. The gas free development will feature photovoltaic panels, air source heat pumps in the townhouses and MVHR systems in the apartments. Each townhouse will have electric vehicle charging points.
- Significant biodiversity net gains will be achieved, 226% for habitats and 123% for hedgerows, exceeding the required 10%. The planting of 57 trees, especially along street frontages. The development will offer both resident and public amenity spaces, including specimen planting and informal play areas.
- Pedestrian links will connect residents to key local areas like Pittville Park, Clarence Square, the Brewery Quarter and the town centre. Through partnership with the Cheltenham Paint Festival this will incorporate public art to enhance the cultural value of the development.
- There is ample cycle storage included within the apartments and townhouse terraces. Parking will be available for the townhouses, residents of the apartments will be encouraged to use alternative transport methods. Local street parking permits will be unavailable to residents. However, reduced price permits in the adjacent NCP car park have been procured.
- Despite significant viability challenges 29 units will be designated as affordable.

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

- It was not specified that rainwater would be captured by water butts. However, future residents could potentially install them. Surface water drainage is part of the landscaping proposal.

- The planning officer did not know how many car parking permits would be available for NCP car park. This had been secured independently by the applicant and developer without involvement of the council. The planning officer advised that members can only consider the scheme that has been submitted and the parking provision that has been included within the application.
- It was confirmed that any future resident would be unable to apply for an on street parking permit.
- The planning officer was not aware of any land or soil conditions that prevented the site from having undercroft parking. Cost was a major factor why it was not possible and in terms of viability as discussed in the report.
- The application has been through an extensive pre application process and the scheme has evolved and changed dramatically as result of feedback from officers, consultees, heritage and urban designers. The application has had a significant change in layout of the site. If the application was not approved it would be for the developer to understand why the scheme was not acceptable and to look to make any amendments.
- Taller buildings had been presented and considered. However, following feedback from conservation and heritage it was needed for the building to be recessive to the St Margaret's terrace to prevent it from overpowering or dominating the terrace. It also provides progression in heights within the street scene along with Dowty House.
- There will be an informative that residents will be unable to obtain on street parking permits as this has been confirmed with Highways. Any future buyers will be made aware of this through local searches.
- No works are proposed to Northfield Passage as part of the development as no works can be proposed to a public right of way without consent. However, the intention is to open and improve the public right of way by taking away the existing fence and walls. It has been confirmed that the levels of the site will be taken down to match the public right of way.
- There is no way to prevent people parking on the public right of way as this is outside of the planning process. A condition has been suggested regarding parking within the site in way of a scheme to control how people park outside of the designated parking spaces. Whether that be signage or double yellow lines.

The matter then went to member debate and the following points were made:

- As developers there is an opportunity to recognise the history of a site. The North Place car park development is on the site of a former company that used to be important to Cheltenham known as the Black and White Coach Company before becoming part of National Express. This site was hugely significant for residents and therefore ask that the sites heritage and memories be respected and not just wiped out as a redundant car park. (Councillor Williams read out the above before Members questions and left the meeting at 18:53 and took no further part in the committee)
- Agree with the Chair of the Civic Society as these buildings are not interesting and yet will be within a significant site and feel the design is poor and better could have been done. Disappointed to lose a significant tree regardless that the site will have new trees. Appreciate that it would require a redesign to

keep the tree however, throughout the design process this could have been addressed.

- The scheme could have had more properties and increased the density. Could argue that larger houses are not needed in the town centre and that smaller properties are. Should have more parking for site as parking is necessary regardless of town centre location.
- Not happy with the application however, unsure if there are valid planning reasons to refuse.
- Disappointed with the scheme as there are many ways in which it falls short, regarding the design of the townhouses which fails to meet the NDSS requirements. The lack of parking provision for the 72 apartments as the development will be replacing an existing car park and adding to parking pressures on the town centre. The felling of a tree which was only recently granted a TPO and the objection from the tree officer and failure for the developer to take this into account is a cause for concern.
- There are two major crises facing our country, a chronic shortage of housing and the climate emergency. The benefits of site surpass its shortcomings. Reassured that the report notes the council and the developer will be in discussions about the townhouses design and NDSS requirements.
- Access is adequate for service and delivery vehicles and the townhouses will have a drive. The provision of a bike shed and proximity to the town centre should help reduce the need for cars at the site.
- The development will be sustainable and the scheme will deliver more on its biodiversity net gain (BNG) requirement for habitats and hedgerows along with provisions made for planting of new trees.
- The development will help the council ambitions for net zero with the solar PV panels on apartment rooftops, heat pumps at the townhouses and electric vehicle charging points. The scheme will be a redevelopment of a brownfield site and the application should be supported.
- Whilst not against the development it is not possible to replace an existing tree that has an established habitat for new trees as these will take a long time to establish habitats.
- On balance will support the application as it is a bonus that there is any affordable housing within the scheme. Shame to lose the tree as it appears it could have been saved had building been shifted along. However, the planting in the middle of the scheme will be a benefit in the long term. Housing is desperately needed in particular social housing and would be reluctant to refuse application that contains affordable housing.
- No application is ever perfect and members had meeting with the developer in pre application process and the scheme has taken on board points that were raised by members such as the BNG. Glad to have another development within the town which will have no gas.
- A member liked the finish of the buildings and said that the architects panel didn't oppose the materials being used. A positive is that there would be a significant contribution to education and a smaller one to libraries. There are no planning reasons to refuse the application and the council does not have a five-year housing supply.
- A member was critical of the Cheltenham Civic Society and took exception to the un civic awards as they are unjust and hurtful. Agree with members that

scheme could be better however, arguments to support the scheme are excellent.

The matter then went to the vote on the officer recommendation to permit subject to S106 agreement, conditions and informative:

For: Unanimous

A member asked about the possibility of a sign or plaque that the site was once the Black and White coach station. The Chair indicated that the applicant nodded that this would be possible.

7 Appeal Update

Appeal details were noted for information.

8 Any other items the Chairman determines urgent and requires a decision

There were none.