

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 17 October 2024

Meeting time: 6.00 pm - 6.45 pm

In attendance:

Councillors:

Frank Allen, Glenn Andrews, Adrian Bamford, Garth Barnes (Chair), Barbara Clark, Jan Foster, Andy Mutton, Tony Oliver and Suzanne Williams

Also in attendance:

Claire Donnelly (Planning Officer), Chris Gomm (Head of Development Management, Enforcement and Compliance) and Michelle Payne (Senior Planning Officer)

1 Apologies

Apologies were received from Councillor Baker and Councillor Wheeler.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

Councillor Bamford visited 6a.

4 Minutes of the last meeting

The minutes of the meeting held on 19 September were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

6a 24/00435/FUL - 187 Leckhampton Road, GL53 0AD

The planning officer introduced the report as published.

There were three public speakers on the item; the objector, the applicant and a Ward Member.

The public speaker in objection addressed the committee and made the following points:

- Due to the topography of the hill, 187 sits on a higher elevation than properties to the south and the proposed extension will be to the detriment of their outlook of the Leckhampton hills.
- A former occupant of 187 had widened the garage to the boundary line with 185, raised the floor level of the back of the house and built a new utility room. The additional proposed changes will in essence create an overbearing 1.5 storey extension on the boundary line.
- Concerns had been discussed with the applicants but suggested changes had not been accepted despite the impact on the neighbours, and concessions made on subsequent applications have not addressed the main objections to the application.
- Additional concerns have been raised by 189 due to the raised patio and rear windows allowing their property and children's bedrooms to be overlooked.
- An extension at 189 was set back twice with returns to achieve a level of subservience and a similar consideration should be given to the current application.
- Permitting the application may set a precedent with neighbours on the road receiving approval for similar builds which will be detrimental to the community and damage the character and appearance of the area which sits close to a conservation area and an area of outstanding beauty.

The applicant addressed the committee and made the following points:

- Submitted the application to make a sustainable and eco-friendly modern home whilst maintaining the house's character and improving the connection between the home and garden.
- Have done their best to follow the planning process to the letter and have made significant voluntary compromises during the submission of 2 sets of revised plans to attempt to mitigate neighbour's concerns about the potential impact. Mitigations have included:
 - o A pitched roof has been changed to a nearly flat roof to reduce the height.
 - o The extension has been reduced to 2m at the level of the house.
 - o A proposed 2nd story extension over the utility has been removed.
- Ask the Committee to consider the disproportionate nature of the objections and the hostility to what is now a comparatively small extension. The planning process should not be a platform for abuse, threatening or bullying behaviour.

- The planning officer's report have distilled a huge number of objections down into the pertinent issues and noted the reasons under planning rules in respect to each why planning should be allowed and has recommended that the application be permitted in full.
- There has been recent precedent for extensions on the road with 189 extending by 4 meters and 191 extending by 7 meters. Whilst it is clear that loss of view is not a reason to object, the extension of 189 has prevented the view to the south from inside 187. The proposed plan will not block the view of the south from 185 but will allow 187 to share it again.
- Addressing concerns about the height of the property and the location in relation to the boundary line would require the property to be demolished and rebuilt. The applicant wishes to maintain as much of the current structure as possible. Increasing the height of the patio to align with the property is allowed within permitted development.
- The boundary line is almost 5m from 185 which reduces the potential for overbearing.

Councillor Horwood as Ward Member addressed the committee and made the following points:

- Speaking to the application rather than in objection or support, partly due to concerns over the force of some of the objections.
- Agree with the officer report that the gable design is an attempt to fit in with the street scape and modern materials on rear extensions are not uncommon.
- Recognise significant modifications have been made through the design as applications have progressed.
- Two main issues with the application are the impact on neighbours downhill and the impact on the nearby Area of Natural Beauty (AONB). Permission may carry implications for significant incremental extensions on hillsides looking up to the hill that potentially over time could affect the whole community.
- Policy SD7 of the Joint Core Strategy (JCS) states: *"All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."* The JCS confirms that the AONB Management Plan and guidance are material considerations in determining planning applications. In addition 4.7.3 of the JCS states *"Development close to, but outside, the AONB boundary has the potential to have a detrimental impact on its setting through, for example, its impact upon key views"*.
- The Cotswold National Landscape Management Plan 2023-2025 states in CE1.2: *"Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds National Landscape, should have regard to the scenic quality of the location and its setting and ensure that views - including those into and out of the National landscape – and visual amenity are conserved and enhanced."* It does not reference these being public rather than private views. It also states: *"It is important to consider the cumulative impact of changes on landscape character. This applies to both incremental building development and land use change"*.

- Whilst recognising that concessions have been made the Councillor believes that that a better design could address neighbours' concerns and ensure that incremental development over time does not degrade everybody's views.

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

- Planning officers do not consider the Cotswold National Landscape Management Plan 2023-2025 to be directly relevant to this application. It does not explicitly set out that a private individual view should be protected. In contrast the planning letters sent to neighbours highlights that loss of a private or distant view is never a material planning consideration. In addition, the minimal footprint of the extension would not have any impact on the views in or out of the AONB.
- Currently windows overlooking 189 are obscured but in the application the windows to the rear and ground floor are proposed to be clear.

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

- Consideration should be given to landscaping the patio through the inclusion of hedgerows to small trees to obscure the view between 185 and 187, ease neighbourhood tensions and work in favour of neighbourhood amenity. The Committee agreed that the vote would be taken on the application with the inclusion of a landscaping condition, with the approval of the nature of planting undertaken and the timescale for completion delegated to the Head of Planning. The planning officer noted that as the patio extends across the boundary this will limit the planting that can be achieved and highlighted that the patio as currently planned meets the requirements for permitted development within the technical guidance.

During the debate Councillor Bamford noted that having read the report he was minded to support the application. He clarified that this was not a pre-determined position and his final decision would only be made following the debate.

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

For: 6

Against: 0

Abstentions: 3

Permitted subject to conditions.

6b 24/01344/FUL - 122A Brunswick Street, GL50 4HA

The planning officer introduced the report as published.

There were no public speakers on the application.

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

- Existing planting will be partly retained and will be supplemented by new planting. The fencing will be slightly higher than the vegetation but the structure will be lightweight and not very visible.

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

For: 9

Against: 0

Abstentions: 0

Permitted.

7 Appeal Update

These were noted for information.

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

There were none.