

Cheltenham Borough Council Planning Committee Minutes

Meeting date: 23 January 2025

Meeting time: 6.00 pm - 6.47 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:

Chris Gomm (Head of Development Management, Enforcement and Compliance), John Hindley (Highways representative Gloucestershire County Council) and Michael Ronan (Locum Planning Solicitor - One Legal)

1 Apologies

Apologies were received from Councillor Mutton.

2 Declarations of Interest

There were none.

3 Declarations of independent site visits

The following Councillors attended Planning View on the 21 January 2025:

- Councillor Frank Allen
- Councillor Paul Baker
- Councillor Adrian Bamford
- Councillor Garth Barnes
- Councillor Barbara Clark
- Councillor Jan Foster
- Councillor Tony Oliver

4 Minutes of the last meeting

A request from a member of the public to correct the minutes was received and was reviewed by the Monitoring Officer. The requested changes were not recommended to the Committee as council minutes are not intended to be a verbatim record of meetings and recordings are available on YouTube for four years for reference. The Committee agreed not to amend the minutes.

The minutes of the meeting held on 17 October were approved and signed as a correct record.

5 Public Questions

There were none.

6 Planning Applications

7 424/00725/OUT - Land at North Road West and Grovefield Way

The Head of Development Management, Enforcement & Compliance introduced the report as published, highlighting that this was an outline application for up to 60 dwellings including 40% affordable housing and up to 550 square meters of flexible commercial use. He emphasized that appearance, landscaping, layout, and scale were reserved matters. He highlighted that an update sheet had been circulated with amended conditions and that the recommendation was to permit subject to these conditions and a s106 agreement.

There were no public speakers on the item.

In response to Members' questions, officers confirmed that:

- It would not be possible to resolve the drainage issue that has existed on North Road West since the BMW site was built through a condition on the current planning application. Cheltenham Borough Council and the County Council have enforcement powers to manage this issue and it will be raised with the Enforcement Team.
- Controlling routes of construction traffic to prevent contractors' vehicles using North Road West is within the scope of a construction management plan. This can be dealt with when the application to discharge that condition is submitted.

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

- The use of the site as a residential rather than commercial site was seen as a positive development, particularly given the pressure to build more houses as captured within the 5-year housing land supply particularly given the pressure to build more houses as captured within the 2.52 year housing land supply. The designation of 40% of properties as affordable housing was also highlighted as extremely important.

- Significant disappointment was expressed at the decision to provide access to the residential properties through North Road West, instead of Corinthian Way. North Road West is a very quiet county lane within the green belt, bound by hedgerows on both sides and is part of a designated national cycle route. In contrast Corinthian Way is a purpose-built two-lane road, designed to take high volumes of traffic.
- It was noted that the developers' had agreed to put a pedestrian crossing at a point on North Road West but it was felt that it would be unusual to install a pedestrian crossing on a country road.
- A length of the hedgerow will be lost to create access and concern was raised that this would represent significant biodiversity net loss and be a key loss of a wildlife corridor. This will also negatively impact the current safe use of North Road West by cyclists, runners and walkers.
- Concern was raised that once the road is resurfaced people will exceed the 30mph speed limit in the stretch of the road that pedestrians will be able to access. It was also noted that whilst it was possible for cars to pass each other the road was tight.
- As the access would only be for 60 properties it will not represent a significant increase in traffic.
- There are existing drainage issue on North Road West. It was stressed that the developers should bear in mind that the water course should be able to travel under the road in North Road West.
- Whilst the committee could reject the application due to concerns about access, given the Highways team had not raised an objection it was likely that the application would be approved on appeal.

Officers offered the following responses to the Member's debate:

- The Principal Development Co-Ordinator confirmed that the Highways team had discussed the use of Corinthian Way for access with the developer. They had confirmed they were committed to North Road West access due to the benefit it would bring to the residential estate to create a separation from the commercial site. Highways do prefer to have separate accesses to avoid conflict of lots of pedestrians with large HGVs. The Highways team then considered the benefit and risk of North Road West access, including speed readings and the visibility that could be achieved, and on balance there was no fundamental reason they could not support the application.
- The speed limit on North Road West is presently going to remain at 50mph. Internal paths on the estate will lead pedestrians to a section of road where it is 30mph.
- There will be pedestrian access to Corinthian Way, the only separation will be vehicular.
- At most 20m of hedgerow will be lost to create the access.
- Discussions have already been held with the developer about the location of access and it is not for the committee to re-design the scheme or fundamentally change means of access to the site. Members have the right to vote against the officer recommendation. However, as officers are happy with the means of access from North Road West and the application complies with planning policy it is likely this refusal would be subject to an appeal. Members were reminded that if a decision is made without evidence to support the decision the authority is exposed to risk of costs on any appeal.

The matter then went to the vote on the officer recommendation to permit subject to conditions and s106 agreement:

For: 9

Against: 1

Abstentions: 0

Voted to permit subject to conditions and s106 agreement.

8 Appeal Update

The committee noted the appeals update.

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

There were none.

10 Briefing Note - Changes to the 5 Year Housing Land Supply Position following publication of the NPPF (December 2024) and related changes in the Planning Practice Guidance (PPG)

The committee noted the briefing note.