

# draft minutes

---

## Planning Committee

19th April 2018

**Present:**

**Members (13)**

Councillors Barnes, Chair (GB); Fisher, Vice-Chair (BF); Baker (PB); Collins (MC); Colin Hay (CH); Hobley (KH); Lillywhite (AL); McCloskey (HM); Oliver (TO); Seacome (DS); Thornton (PT); Wheeler (SW).

**Substitutes:** Councillor Chris Mason

**Officers**

Tracey Crews, Director of Planning (TC)  
Craig Hemphill, Principal Planning Officer (CH)  
Michelle Payne, Senior Planning Officer (MP)  
Emma Pickernell, Senior Planning Officer (EP)  
Gary Dickens, Planning Officer (GD)  
Nick Jonathan, Legal Officer (NJ)

**1. Apologies**

Councillors Hegenbarth, Nelson and Savage.

**2. Declarations of interest**

**18/00039/ADV The Wilson**

Councillors Hay and Hobley are both trustees of the Cheltenham Trust (the applicant). They will leave the Council Chamber during this debate.

**3. Declarations of independent site visits**

Councillor Mason visited all the application sites, apart from The Wilson

**4. Public Questions**

There were none.

**5. Minutes of last meeting**

Resolved, that the minutes of the meeting held on 22<sup>nd</sup> March 2018 be approved and signed as a correct record *without* corrections.

# draft minutes

---

Before the meeting got underway, Councillor Barnes paid tribute to three Members of Planning Committee who will not be standing for re-election at the local elections in May.

He thanked

- Councillor Colin Hay for many years of service on Planning Committee, all his fine words and opinions on many planning applications, and hoped that he would enjoy his brief rest;
- Councillor Helena McCloskey who is retiring from the Council, having done an awful lot of work for Planning Committee, including a spell as Chair. She has done a lot of fine work, and can relish looking at the town and thinking about the huge contribution she has made to the townscape;
- Councillor Thornton (not arrived at the meeting at this point), who has been a stalwart of Planning Committee for many, many years.

## 6. Planning applications

Application Number:	<b>17/02110/FUL</b>		
Location:	<b>Land And Garages At King Alfred Way, Cheltenham</b>		
Proposal:	<b>Demolition of 14no. lock-up units and erection of 4no. two bedroom dwelling houses with associated car parking</b>		
View:	<b>Yes</b>		
Officer Recommendation:	<b>Permit</b>		
Committee Decision:	<b>Permit</b>		
Letters of Rep:	<b>5</b>	Update Report:	<b>None</b>

**MP** introduced the application as above. The plans have been revised during the course of the application to secure a reduction in the number of units from five to four – it is now for two sets of semi-detached houses with car parking. Officers consider it to be an effective and efficient use of the space, making a contribution to the housing stock in the borough. It is at Planning Committee at the request of Councillor Babbage, due to the level of local concern.

### **Public Speaking:**

#### **Neighbour, in objection**

Represents the immediate neighbours, none of whom dispute brownfield development in principle, or argue that the application site is a beauty spot. However, five of the eight houses that border the site have expressed strong and consistent objections about impact on their properties and about highway safety. Neighbours are glad Councillor Babbage referred the matter to Planning Committee as their concern from the start is that although it is only a small application, it is too easy for paperwork to be put in front of busy officials who don't actually know the neighbourhood. Any decision will be taken as precedent for those determined to develop King Alfred Way, and this proposal would form the only residential use within that street and change its character. The details of neighbours objections have been circulated; they centre on privacy, highways safety, trees and access. None of these concerns have really been improved by the modified March plans, and in some cases the revisions have made them materially worse.

Privacy has been raised as an issue by homes which aren't currently overlooked; windows were introduced to the second revisions which didn't exist at all in the first set so presumably aren't needed. Regarding highway safety and traffic, these are serious issues in a crowded area. The council

# draft minutes

---

recommendation echoes the applicant's statement that there are no recorded incidents in the area, but what exactly is the rea and over what timescale? Several neighbours have assisted with collisions and injuries, and there are regular near misses. What data is being used about what local people know to be busy roads? Properties 1 and 2 will create a blind exit where no-one can see anything, while the current lock-ups are set safely metres back from the road. The proposal removes safe off-road parking and sets an unrealistic parking ratio which forces more cars onto the streets.

Regarding trees, it is proposed to give one affected tree a management plan although the tree expert's report still identifies some species wrongly.

Regarding access, the proposed site layout plan states that existing access rights to the rear of 35 Hales Road will be maintained, but these do not attach to No. 35 but to No. 33. The council recommendation repeats this inaccuracy despite having been provided with accurate information in November.

In conclusion, neighbours are grateful that the Council is prepared to consider this matter, and simply ask that the way forward for this tiny strip of land be fair, reasonable, and based on accurate information.

## **Representative of Coombes Everitt, architects, in support**

Throughout the development of the scheme, Coombes Everitt has engaged with the local authority and their consultants, including highways and trees officers, to develop and refine the scheme to the current point where they have no objections and the case officer has recommended the scheme for approval. Much of the development and consultation is set out in the officer report, but the key change, since the initial application, is the reduction from five to four dwellings. This has enabled the density of the scheme to be relaxed, and provided more open space on the site. Parking for vehicles and cycles on site meets local authority guidance, and County Highways have not raised any objection to the scheme.

A number of local residents have objected to the impact of the scheme on access to the rear of their properties. The scheme has been designed to respect all legal rights of access that are afforded to properties fronting Hales Road, although these are a legal rather than a planning matter.

The proposed units are a contemporary, flat-roofed design, predominantly in brick, considered appropriate to the location by the local authority. The Architects' Panel supports the scheme, calling it a well-considered and sensitive design, making good use of redundant and unattractive lock-up units; it considers the form, scale and style of the development to be entirely appropriate for this location, and a good overall design.

The properties have been designed to ensure minimum impact on surrounding dwellings, with separation distances exceeding local guidance, and the only windows facing the properties on Hales Road being two small obscured bathroom windows. The flat roof design helps minimise the height of the proposed dwellings, reducing the visual impact on the site and the surrounding dwellings.

The redevelopment of this brownfield site represents an opportunity to provide additional housing in a sustainable location. Some local residents are concerned about potential contamination on site and potential dust during demolition, but as part of the implementation of the scheme, any site contamination will be addressed, in accordance with appropriate method statements, and there are a number of suggested conditions to ensure that this is the case.

# draft minutes

---

*Councillor Thornton arrived at the meeting at this point.*

## **Member debate:**

**HM:** is pleased to support this proposal, which makes good use of a difficult site, providing the sort of houses that are needed in Cheltenham – ideal for a young couple, or small family, in a sustainable location close to London Road and bus routes, and close enough to walk into town. Is happy to support the application.

**PB:** can the officer comment on the apparent discrepancies as pointed out by the neighbour in her eloquent presentation? These are disappointing, although the scheme itself is really – will support it. The garages need to be replaced with something – land is finite – and whatever goes these will generate some level of traffic. This proposal provides much-needed houses, is well thought out, doesn't cause any issues with trees, and is within guidelines to avoid any over-looking. Is happy to support it.

**CH:** is reminded of the many garage sites which have been developed by CBH – these were derelict pieces of land, underused, subject the anti-social behaviour – the redevelopment of these sites has improved the area. We know now what happens when developments like this take place; they usually settle down well. There are only four houses, so are unlikely to cause any disruption. Cannot see any problem with it. The Architects Panel is quite right.

**CM:** would also like to hear the officer's comments on the discrepancies described by the speaker. Visited the site; is not a tree expert, and would like reassurance that the trees in question do not have TPOs. The architect who spoke mentioned that obscured glass would be fitted; can officers confirm that this actually means glass that cannot be seen through, not windows at funny angles?

**PT:** would like to look at the design of the houses.

[**Note:** *PT not eligible to vote, having arrived at the meeting after the debate had started.*]

## **MP, in response**

- Regarding the neighbour's comments on access rights, these were based on the plans submitted. Apologises for the error, but access rights are outside the remit of the planning application, and therefore not material to the recommendation;
- Regarding trees, the trees officer visited the site and required further information. There were some errors and revisions were required, but the trees officer is content that the proposal will not cause any harm to any trees;
- To CM, regarding obscure glass – this is set out in a condition, and also the requirement that the window be fitted with a limited opening mechanism to ensure no overlooking or lack of privacy for the neighbours.

**MC:** is minded to support the application. Likes the design, and the fact that it makes use of a brownfield site – it's the responsibility of the borough to use these unused garage sites. The errors were unfortunate, but have been revised out. Is a lover of trees, and glad that those issues have also been sorted out. Cannot see any issues with the scheme now. This isn't currently a particularly attractive site in King Alfred Way, and the proposal won't add to traffic. It is secluded, and access rights have been addressed. Has noted objections from neighbours, but would like them to understand that the Council can only deal with applications and make their decisions on planning matters. Licensing and access issues are not part of the planning process.

# draft minutes

---

**CH:** has one issue to raise, in relation to comments in representations: this application won't set a precedent for building on industrial land, as the garage site is not part of the industrial site. If it was, would be strongly against it, but this site is definitely not in that category.

**MP, in response:**

- That is correct; the site is outside the adjacent industrial estate, in separate ownership and separated by palisade fencing.

**Vote on officer recommendation to permit**

12 in support

0 in objection

1 abstention

**PERMIT**

Application Number: <b>17/02460/FUL</b>
Location: <b>Playing Field Adj 10 Stone Crescent, Cheltenham</b>
Proposal: <b>Erection of 13no. dwellings with associated road and sewers</b>

**DEFERRED**

*Councillors Hay and Hobley left the Chamber for the duration of the following agenda item*

Application Number: <b>18/00039/ADV</b>
Location: <b>The Wilson, Cheltenham Art Gallery And Museum, Clarence Street, Cheltenham</b>
Proposal: <b>Installation of two banner signs and one hanging sign</b>
View: <b>Yes</b>
Officer Recommendation: <b>Grant</b>
Committee Decision: <b>Grant</b>
Letters of Rep: <b>0</b> Update Report: <b>None</b>

**JS** introduced the installation as above, at Committee because The Wilson is owned by CBC. The recommendation is to permit.

**Public Speaking:**

None.

**Member debate:**

**MC:** The Wilson is an asset to the town, and brings a lot of tourism. It is important for CBC to support it. This isn't an application for flashing neon lights, but necessary advertising of the location, making it more attractive to visitors. Is happy to support the officer recommendation.

# draft minutes

---

## **Vote on officer recommendation to grant advertising consent**

11 in support – unanimous

**GRANT**

Application Number:	<b>18/00357/FUL</b>		
Location:	<b>6 Westal Park, Cheltenham</b>		
Proposal:	<b>Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling</b>		
View:	<b>Yes</b>		
Officer Recommendation:	<b>Permit</b>		
Committee Decision:	<b>Permit</b>		
Letters of Rep:	<b>11</b>	Update Report:	<b>None</b>

**GD** introduced the application as above, recommended for approval as set out in the officer report. It is at Committee at the request of Councillor Harman, due to the numerous concerns from local residents.

### **Public Speaking:**

#### **Neighbour, in objection**

The first point to make is that he has no objection in principle to the proposed extension at 6 Westal Park; it is the sheer size and overbearing impact on his home and amenities which is the problem. The lower windows of his property will face a blank wall, 7.5m high and 12m away. Facing south-east, the early sun will be blocked out, and the proximity of the first floor windows will result in a loss of privacy, with his small garden and conservatory being overlooked. The Design and Access statement justifies the size of the proposal, referring to similar-sized extensions being added to Nos. 12 and 15 Westal Park, but these had no impact on the immediate neighbours. Moreover, No. 15 originally proposed a second staircase but this was removed on the advice of the planning department, reducing the footprint by 10%. Nos. 3 and 8 had extensions similar to this, both of which were acceptable to other neighbours. Thanked the Committee members for looking at the site, and hopes they will recognise that the objections are reasonable and encourage the applicant to submit a new proposal.

#### **Applicant, in support**

Has lived in Westal Park for seven years, and would now like to adapt his home for multi-generational living, to accommodate growing children and elderly parents, when the time comes, rather than them going into residential care. Has considered many design options over the last year, and Members will have noticed on their site visit that the houses in Westal Park have similar character but there are significant variations on theme. Took pre-application advice last autumn and submitted plans, taking care to comply with the council's policies for sustainable living, design, and the SPG for residential alterations. The extension was subservient to the main dwelling, used existing materials, respected local design, and was set back from the neighbours. After listening to officers' concerns, withdrew the plans and has since made several changes to reduce the impact. The width of the extension is reduced from 6.8m to 6.3m, so the gable wall is further from No. 7, and making the extension narrower than several garages and existing first floor extensions. It also improves its subservience without compromising the internal accommodation.

# draft minutes

---

The orientation of the houses is such that the sun has passed the front of No. 6 by 9am and is due east of No. 7, shining directly into its garden. The front and rear first floor elevations are set back, so any additional overshadowing would only be very early in the morning if at all. The light render finish, instead of brick, will also reflect more light. The height of the extension has been further reduced, but an alternative loft conversion with a sloping roof would make bedroom unsuitable for caring for elderly people. Several extensions on Westal Park are full height.

To reduce noise and respect privacy, there are no habitable rooms on the gable elevation, and just one external door to the rear garden, near the far corners of the gardens of Nos. 7 and 8, behind a six foot fence. Retaining garage doors helps maintain the character of the house, and there is enough land for additional off-road parking should it be necessary, although this is a highly accessible location. The second staircase has raised fears of subdivision and setting a precedent, but is for amenity only – welcomes the proposed condition to control subdivision.

The revised plans meet or exceed all the distance criteria set out in the SPG, and constitute sustainable development as promoted in the NPPF and newly-adopted JCS. Hopes that Members will recognise the lengths to which has gone to submit proposals which meet the needs of a modern ‘sandwich generation’ family whilst fully complying will council policies.

## **Member debate:**

There was none.

## **Vote on officer recommendation to permit**

12 in support

0 in objection

1 abstention

**PERMIT**

*The meeting ended at 6.30pm.*

As Councillor Thornton was not present at the beginning of the meeting, Councillor Barnes thanked her for all her sterling work on Planning Committee over many years. He hopes she will have many happy memories, and will cherish the knowledge that she has contributed to the present townscape of Cheltenham.