

Planning Committee

**Thursday 20th June
18:00**

Present at the meeting

Councillor Garth Barnes (Chair)	Councillor Karl Hobley
Councillor Paul Baker (Vice-Chair)	Councillor Paul McCloskey
Councillor Stephen Cooke	Councillor Tony Oliver
Councillor Diggory Seacome	Councillor Simon Wheeler
Councillor Victoria Atherstone	Councillor John Payne
Councillor Bernard Fisher	Councillor Rowena Hay
Councillor Dilys Barrell	Councillor Dennis Parsons (Reserve)

Officers in attendance

Victoria Harris, Planning Officer
Nick Jonathan, Solicitor
Gary Dickens, Planning Officer
David Oakhill, Head of Planning

1. Apologies

Apologies were received from Councillor Collins and Councillor Parsons was in attendance as a substitute.

2. Declarations of Interest

- i. Councillor Payne and Councillor Wheeler: Chester Walk - for clarification – the site is owned by GCC; both are county councillors.
- ii. Councillor Hay: Chester Walk - as the responsible member of the cabinet, has pre-determined - will speak about the application then leave.
- iii. Councillor Oliver: 56 Merestones Drive – has called on neighbours at no. 58 Merestones Drive to introduce himself, but hasn't discussed the application with them.

3. Declarations of independent site visits

Councillor Hobley: Chester Walk

4. Public Questions

None.

5. Minutes of last meeting

These were agreed and signed by Councillor Barnes as a true record of the meeting.

6. Applications

7. 19/00204/FUL Car Park, Chester Walk

Officer introduction

DO began by introducing Chris Mead, GCC highways officer, who is present to answer any highways questions on the first item. He will attend meetings where appropriate in the future.

The proposal is a mixed use innovation hub in the town centre, behind the children's library, to the east of the Grade 1-listed St Mary's Minster. The site is currently used as a car park and some retail. It will be built to a module construction, and will serve as a work space, events facility, and education facility. Conditions are included to control any events. An ancillary café, four parking spaces and cycle spaces are included. The key planning matters are the principle of development, parking, and impact on heritage assets.

Regarding the principle of development, this is a town centre location, close to transport links. Local policy is supportive of small and medium-sized start-ups in central locations,.

The land is currently a car park, used by county council staff. CBC is current in negotiation with the county, to perform a land swap involving 60 parking spaces in St George's Road car park. The applicant has undertaken a parking survey, and identified existing capacity at other town centre car parks at key times. In addition, the proposal provides 28 cycle spaces, and is near to main bus routes. GCC has been consulted and has raised no highways objection.

Regarding heritage and the effect on the adjacent GI-listed building, Historic England and the conservation officer raised initial concerns about the façade on the left side of the proposed building, which was originally much larger. Through negotiation, the entrance has been broadened and the entrance set back. The conservation officer is now happy to support the scheme and Historic England's objections have been overcome. The Minster is fully supportive, and consultation has taken place throughout. The applicant is also consulting with GCC to ensure good connection between the library and the new building.

Officers consider the proposal fits well in the area, providing employment, vibrancy, and natural surveillance. The recommendation is to permit.

Public speaking

Cllr Hay, in support

This is an enormously exciting opportunity for Cheltenham to create something different, which fits in brilliantly with its culture, heritage and place making, as well as providing a cultural hub with the library, art gallery and museum. The modern design combines old and new and sits well in its setting. Visited a similar venue in Newcastle, and noted that the audiences in the creative hub were very diverse in age – it is not just for the young, as some people may think. It will also make a massive difference to perception of the Minster – a jewel of a building currently hidden away - opening up the vista, and eventually creating a walkway, supported by the Diocese. The town currently loses young people looking for a start-up space in Cheltenham – this absolutely ticks that box. Hopes that Planning Committee supports the recommendation to permit.

Member debate

SW: Is glad to hear Minster is in approval - it is a wonderful historic building tucked away behind Chelt House, and it will be great to open up the area. Is impressed with the use of shipping containers; following the earthquake in Christchurch, New Zealand, these have been used to create shops, offices, cafes, whole malls - they look wonderful, and equal to the likes of the Regent Arcade when inside. If this is half as good, it will be a wonderful addition to the town.

VA: absolutely loves the idea of this development. Is particularly pleased with the inclusion of a performance space. It will support young start-up businesses – Cheltenham doesn't have enough of these at present – and opens up the area, making it safer and more acceptable – it is brilliant.

JP: without any doubt, this is a win-win situation. Cheltenham definitely needs an innovation hub to support young businesses. Really admires the contrast between modern design and the medieval minster and the way they complement each other. Compliments the architects for this.

BF: Environmental Health raised the issue that the current plans show a lightweight roof construction, but also include a load of solar panels Will the ships containers – which are basically tin boxes – be able to take the weight? Has this been addressed?

DB: agrees that the design and the use to which it will be put is really good. Would just ask about sound proofing – if events are really noisy late in the evening or into the early morning, there could be problems. Also questions the parking situation – does this mean there is going to be a loss of parking spaces in Cheltenham generally? GCC staff are going to park elsewhere, which means that parking spaces elsewhere in the town will be lost – this is a problem.

PB: it's important when good schemes come forward that we pay tribute in the same way that we slam appalling ones. This is exciting and innovative - recycling at the extreme, using single-use shipping containers, which are redundant after one journey, to help create jobs for young people. Renewable energy features are included, and in view of the climate emergency, anything which combats it is good to take on board. This is a fantastic scheme; is delighted to support it.

SC: this is an excellent proposal, and just what town needs. Small start-up businesses have to go to Gloucester Business Park at the moment. The re-using of shipping containers is excellent, but this is a very sensitive site – the artist's impression is good, but the final appearance of the proposal will depend on the detailing. Have officers had reassurance that the detailing will be as good as it's shown, and will complement the surroundings in this delicate location?

GB: this proposal is good news; agrees with all comments made so far. This sort of scheme is clearly new for Cheltenham, although it is being done elsewhere; it's time to move forward, and this excellent scheme is the way to do it.

DO, in response:

- To BF, regarding the structural capability of the roof, this will need to be assessed by building control officers;
- To DB, sound-proofing is also part of building control, but there is also a condition to control any events taking place at night;
- Regarding parking, this is quite complicated, like moving jigsaw pieces. If the county council staff move to St George's Road as planned, they will clearly use some of the existing spaces there. CBC officers enjoy parking permits in different parts of town, Chelt Walk being the closest and most popular. The idea is that if parking becomes a problem, CBC parking permits will be moved to less popular car parks, to free up space for shoppers etc. The applicant has undertaken a parking survey between 10am and 2pm and found spaces in car parks close to the application site. Both the county and borough councils are satisfied with this. In addition, this is a town centre location, close to bus routes and providing space for storing bikes;
- To SC, regarding detailing, Condition 7 is concerned with external colour finishes, which will need to be provided prior to development. We know what the materials will be, so the important question will be ensuring the colour scheme is correct. Officers feel enough detail has been submitted to make a judgement.

DS: regarding PB's comment, hadn't realised the shipping containers were used for one journey only. Will this affect the estimated lifespan of the development?

DO, in response:

- doesn't know the answer to that.

SW: in New Zealand, the shipping containers were put up after the 2011 earthquake, and are still going strong 7-8 years later, looking in good condition. This would suggest that their lifespan is reasonable.

GB: is reminded of pre-fabs – these were intended to be lived in for a couple of years after the war and are still going strong. Is not saying these are comparable but it is a lesson!

Vote of officer recommendation to permit

13 in support – unanimous

PERMIT

8. 19/00611/FUL Glenfall Farm Stables**Officer introduction**

GD introduced the application at Glenfall Farm Stables in Ham, to redevelop three barns as dwellings, and demolish and replace the existing farmhouse with a new dwelling. A previous scheme was refused in March, due to the scale of the replacement dwelling and the harm to the AONB. This scheme has a reduced footprint and more traditional design. The recommendation is to permit. It is at committee because the Parish Council has objected to the scheme.

Public speaking**Mr Maloney, neighbour, in objection**

Is speaking in against the application on behalf of Ham residents. Their prime objection relates to the demolition of a partial Cotswold stone house, which is good enough to have be occupied until April this year, and replacing it with a modern new-build dwelling. The previous application was rejected by Planning Committee, as over-development in the AONB, and contravening JCS policies SD6, SD7 and paragraph 172 of the NPPF. This application has not mitigated these reasons; urges Members to be consistent and refuse the scheme on the same grounds.

The courtyard farm buildings, originally part of Glenfall Farm, have a development history covering a 200-year period as shown on historic survey maps. It is the only courtyard complex of stone barns in Ham and should be preserved, not partially demolished needlessly. The new-build would have a footprint approximately 10sq m bigger, sited in a position that will move the dwellings' extent about 9.8 m to the east of the original farmhouse's approved extension. In this new location it would be overpowering and dominate the area, require extensive soil removal and terracing to achieve the lowered roof line, with possible ramifications on site drainage, raising concerns that it could lead to downstream flooding in Ham Lane.

Believes there is no justification for demolition rather than conversion of the existing dwelling; the new-build will expand the area of visible development and not sit comfortably within the landscape, to the detriment and urbanisation of the AONB. Therefore, respectfully asks the committee to protect the character of Ham and the AONB, by refusing this application.

Diana Jones, agent, in support

The NPPF requires local planning authorities to work alongside applicants to achieve sustainable development; this is a result of that process, in which the Committee has taken part, with the applicant responding to Members' comments and coming back with a different scheme. The applicants accept that the original scheme for three dwellings from the converted stable buildings was challenging, and continued to work to respect the character of the buildings. The removal of existing farmhouse has not been taken lightly; the original intention was to improve and extend it, but it proved too difficult to overcome previous flooding damage, and this was no longer a feasible option. The intricacies of planning policy mean that a replacement dwelling in the AONB is acceptable, and this reduced scheme is east of existing lay-out, with a floor level above the existing , and a 1.5 storey design which sits comfortably and is not dominant – the new dwelling will be a distinct part of the group of dwellings, and built of natural stone. The water table and drainage has been considered and the scheme will result in betterment across site, with less hardstanding overall. The Architects Panel and officers are supportive, members' concerns have been taken into consideration, the proposal complements the area and doesn't conflict with policy. It is evidently a successful rural conversion scheme in the making.

Councillor Babbage, in objection

This site is well known to members, and the key concerns have all been highlighted by the speaker. The applicant already has permission for a more sensitively-designed scheme, but the last application was refused. The site is in the AONB, and

must therefore conserve the landscape; the replacement dwelling is over development and fails to respect the existing landscape character. Would ask Members to refuse this scheme for the same reasons as they refused the previous one.

Member debate

PB: it is always great when applications come back to Committee and the applicant has clearly listened to what Members have said. It doesn't always happen but this time it has – this is a better scheme. Last time, the proposal was much bigger and an over-development of the site; this is a super scheme in its entirety, and the new design complements its surroundings. Appreciates residents' concerns but the applicant has gone as far as he can and come back with an application we can support. Will vote in support of the officer recommendation.

RH: PB has said most of what she was going to say. Is glad that the Architects Panel has been consulted and is now supportive. On Planning View, members went into the house, which is now empty – it would have been very difficult to make it habitable for a family. Is glad that the applicants have listened, and is now supportive of the scheme.

DB: actually likes the present farmhouse although many don't agree, and feels it could have been developed sensitively. Is concerned about the AONB, believing it very important to conserve it. Feels very torn – can see some attraction in the replacement house, but there are clearly concerns about drainage. Different people are saying different things about the effect if the development is built; feels more clarification is needed.

PM: would have said similar. Is disappointed that the highways officer has now gone – would have wanted to discuss experience of water run-off from agricultural land, which results in the Harp Hill gulleys being full of silt. Is anyone else able to advise on this? Otherwise, overall, in view of where this application started, the revised building is more in keeping. Does not agree with the Parish Council's comments on the old farmhouse – it is a grotty hole, and the replacement will be a blessing

GB: highways officers were not asked to comment on this item, but will be available if they are needed in future.

BF: is perturbed that we are prepared to allow development in the AONB so glibly. There isn't a lot of it left in the borough, but the recent application at Cromwell Court was permitted and there is currently a scoping scheme on Oakley Farm. There is protection for the AONB, and we should treat it with more respect than we do.

PB: notes the neighbour's flooding concerns but it is good to see there is a condition for this. What decides whether a proposal is considered by our own CBC drainage officer or the county's local lead flood authority?

GD in response

- regarding drainage, it is important to remember that this was a brownfield site before the stables were built, and in terms of landscaping the proposal will result in 10% betterment in terms of natural drainage. The land drainage officer is happy with the scheme – it includes a drainage channel linked to the existing watercourse; this cannot be connected without permission and will need land drainage consent; there is an informative to planning decision to make sure this the case;
- rain and foul waste drainage is covered under approved Document H of the 2010 Building Regulations – to make sure that drainage is adequate;
- to PB, whether or not site is in the flood zone determines whether it is dealt with by our local drainage officer or the LLFA.

SW: it is up to the experts to work out the drainage system, and we shouldn't look for them to better what's there, but it is a cause for concern quite regularly to hear it stated that the drainage will go into the existing watercourse. This is a problem in itself – if rain lands in a field, it takes a long time to get to the watercourse. Realises it can't affect our decision on this, as we must be guided by the experts, but would like it noted, that in spite of our expert's comment. Is still worried about existing watercourse.

DO, in response:

- as GD has said, the hardstanding on site will be reduced, and more soft landscaping will be introduced. The sub-system will hold water for a while – it will not immediately flow into the to water course – and it is this controlled flow that reduces the risk of flooding.

Vote on officer recommendation to permit

12 in support

1 in objection

1 abstention

PERMIT

9. 19/00745/FUL 56 Merestones Drive

Officer introduction

VH told members that the application site relates to a 2-storey side extension on an existing detached 2-storey property in Merestones Drive. It is at committee as the request of the local councillor, due to neighbour concerns. The recommendation is to permit.

Public Speaking

Councillor Harman

Is speaking as a local councillor, although some of the properties in Merestones Drive come under Warden Hill – the proposal has implications for the wider Merestones area, as set out in his letter. Called the application on the grounds that it would be overbearing to the adjacent bungalow, being very close to the boundary; it would have a significant impact on that property, with overlooking and loss of light. In addition, it would be detrimental to the appearance of the dwelling from the road, as well as increasing density and being out of keeping with this well-laid-out estate.

Members viewed the site on Planning View, and the key point is to recognise the juxtaposition between the two-storey house and the adjacent bungalow. The extension is very close to the boundary, and will have a real impact on No. 58 and the area generally. Hopes that Committee will consider rejecting the application, for a different revised proposal which is more considerate of neighbours.

Member debate:

TO: on Planning View, felt the impact on No. 58 would be overbearing – the proposed extension comes virtually to the fence, and will have an impact, being very close to the kitchen door. Cannot support the scheme.

PM: looking at the site location drawing, the extension just impinges on the upper right hand corner of No. 58. The compass at the bottom shows that sun will rise in the east and move round to west, confirming that the new extension won't cause any shading of the bungalow. Looking at the footprint of No. 58, the extension will come closer to the kitchen with an obscure glass door, but there is a large amount of living space elsewhere in the house, and the extension won't be seen from the garden. Is minded to agree with officers – the extension will be closer to the neighbouring property, but within the permitted distance. Also wonders if it would come under permitted development rights if it was a single-storey extension.

DB: reiterates what TO said: this extension appears to be coming out right on top of the neighbours' boundary, and at two storeys high it will have an overbearing effect on the bungalow.

JP: we know from the report that the extension complies with all regulations, light tests and so on. Having said that, still believes it is overbearing and has potential to have adverse effect on the amenity of No. 58. Would like the applicant to look at alternatives to this end of house extension.

PB: on face of it, it looks quite a tricky situation, but on Planning View, was able to get a real perspective, much better than that provided by the drawings. PM has described it well – there will be no loss of light, no shadowing, no loss of privacy, and the proposal backs onto the rear elevation, primarily the kitchen door. The extension will have no impact on street scene, situated at the end of a cul-de-sac. Will support the officer recommendation.

VH, in response:

- the property has permitted development rights for a single-storey in the same position; a two-storey extension requires planning permission.

SW: is sorry not to have been on Planning View, but has been looking on Google Earth, and at the size of the footprint of No. 58 compared with No. 56. No. 56 has two storeys which would suggest it may be a bit overbearing, but in grand scheme, No. 58 has larger footprint, and the impact is therefore likely to be minimal. On balance, therefore, is with officers on this.

DS: the first impression on walking into the kitchen of No. 58 on Planning View was how dark it is anyway; given the level of darkness, this won't be reduced that much

with the extension. Also takes PM's point about sun, rising and setting on other side of house – will go with officer recommendation.

Vote on officer recommendation to permit

10 in support

3 in objection

1 abstention

PERMIT

10. Local Government Act 1972 - Exempt Information

RESOLVED THAT

in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3 and 5, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

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

The Members discussed an urgent planning matter.

Chairman